THE

Parliamentary Debates

THE

Parliamentary Debates

FROM

THE YEAR

1803

TO THE PRESENT TIME.

VOL. XXV.

COMPRISING THE PERIOD

BETWEEN THE 11TH OF MARCH AND THE 10TH OF MAY, 1813.

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THE

Parliamentary Debates

During the First Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland, appointed, to meet at Westminster, the Twenty-fourth Day of November, in the Fifty-third Year of the Reign of His Majesty King GEORGE the Third.

HOUSE OF LORDS.

Thursday, March 11, 1813.

FLINTSHIRE PETITION RESPECTING THE CLAIMS OF THE ROMAN CATHOLICS—CORRESPONDENCE BETWEEN EARL GROSVENOR AND LORD KENYON.] Lord *Kenyon* rose to advert to some observations made by himself, on a former day, when he stated to the House the information he had received respecting the conduct of a noble earl's agents, in procuring, by influence and threats, many signatures to a Petition from Flintshire in favour of the Claims of the Roman Catholics. He had lately received a letter from that noble earl, in which he expressly declared, that he did not use any influence upon that occasion, either directly or indirectly; and that if he knew any person under him exercising such influence, he should have held it his duty to shew his strong disapprobation of such conduct. With regard to the information he had received, it related to the conduct of that noble earl's agents, and not to that of the noble earl, but it was stated he had alleged that the noble earl himself had exercised his influence for the purpose of obtaining those signatures. If he did say so, it was very far from what he meant to have said; for with the information he possessed, he not only had not intended to have so expressed himself, but he did not mean to convey the smallest insinuation of that nature.*

CURATES' BILL.] The Earl of Harrowby moved the second reading of the Curates' Bill.

The Bishop of *London* observed, that this Bill went materially to alter the constitution and administration of the Church, and therefore he hoped the House would not pass it, without giving an opportunity for the fullest discussion.

The Earl of *Harrowby* was anxious that ample opportunity should be given for a full discussion of the Bill. He proposed that it should go to the committee, *pro forma*, to have the blanks filled up, and then that the discussion should take place upon the re-commitment.

Lord *Holland* had no objection to the proposed arrangement, it being understood that the principle of the Bill, as well as the details, should be open to discussion upon the commitment, and that sufficient time should be given for the attendance of the right reverend and learned prelates.

The Bill was then read a second time.

HOUSE OF COMMONS.

Thursday, March 11.

DANIEL LUCE REPRIMANDED FOR PREVARICATION BEFORE THE WEYMOUTH ELECTION COMMITTEE.] On the motion of Mr. Alderman Atkins, Daniel Luce, who had been committed to Newgate for prevarication before the Weymouth and Melcombe Regis Election Committee, was brought to the bar, where he received [illegible]

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* The following are Copies of the Letters which passed between the noble lords upon this occasion:

No. I.—*To Lord Kenyon.*

Eaton-Hall, [illegible] March, 1813.

My lord; when [illegible]

following Reprimand from Mr. Speaker, and was ordered to be discharged out of custody, paying his fees.

"Daniel Luce,

"A Select Committee of this House appointed to try and determine the merits of the last Election for Weymouth and Melcombe Regis have reported, That you being called as a witness before them, were

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day, I thought I might have an early opportunity of noticing in parliament what you stated respecting the Flintshire Petition in too public and marked a manner to be overlooked by me, but as that opportunity may be too long protracted, I cannot delay calling upon you for an explanation of what you are represented to have said in the House of Lords. My unavoidable absence was certainly not a sufficient reason to silence any comments you were disposed to make on the Petition, when actually presented; at the same time it called for particular circumspection in making remarks of a personal nature, and I trust I am not to understand that you meant to insinuate that I authorised my agents to offer any thing like a threat to induce those in my employ, or any at all connected with me, to sign the Petition. It seems, however, that your lordship has charged my agents with having used threats of a serious nature towards two individuals; they deny the fact, and conclude this idle report originated from the circumstance of a person having conducted himself very improperly in the office where the Petition had been left for signatures, and on account of such indecent behaviour, and not for the cause mentioned by your lordship, he was told he would be dismissed, but that afterwards he apologised and was excused. But to make the matter perfectly clear, I must request your lordship will without delay state your authority for the charge, in justice both to those in my employ and to myself. I need hardly add, that if the accusation proves true, I shall express my strong disapprobation of such conduct on the part of my agents. Your lordship seems to have overlooked that the Petition both to the Lords and Commons was signed by many highly respectable names, that are in no remote degree dependent upon me; and I have the satisfaction of knowing that the signatures were all genuine, which cannot be said of many that were presented from different parts of the county against the Catholic Claims, to obtain which I know the most disgraceful means were but too frequently resorted to. I have the honour to be, my lord, &c.

GROSVENOR.

No. II.

9, Portman-square, March 10.

My lord; after your letter of yesterday, I am no little surprised at that with with which I am to-day honoured, but am now, and shall be on all occasions, ready to state any fact, or authenticate any expression attributed to me. It would assuredly have afforded me much pleasure had your lordship presented the Flintshire counter-petition in person, and I am glad you acknowledge that I could not do otherwise than make the remarks which I thought truth demanded on its being presented. My information was from several quarters; the names of the individuals your lordship will not expect me to disclose; but from the feeling you express, namely, "if the accusation proves true, I shall express my strong disapprobation of such conduct on the part of my agents," I do not hesitate to state that two persons, Thomas Davies and Josiah Redfern, positively refused Edwards, the agent at Halkin, to sign what they conceived to be so hostile to their principles, and adduced, in defence of their determination, the spirit of persecution which had always influenced those governments which held the tenets of the Roman Church, and urged also their fears lest the destructive calamities of Mary's reign, should again be realized by the re-admission of Papists into power. Edwards replied, probably such calamities might never occur in their times; but it did not signify—they must either sign or quit lord Grosvenor's employment.

I should be glad if your lordship would point out, in your place in the House of Lords, or to me, many highly respectable names contained in your counter-petition. I am informed there are very few indeed who are not under your lordship's influence, but having been informed only of the conduct of your agents, I applied my remarks only to them; and should disdain to insinuate what I did not feel called on to assert. The description of persons signing a counter-address, and the mode by which they were induced to sign, I should have been unworthy the honour of presenting the county address had I not stated to the House of Lords. I have the honour to be, &c.

KENYON.

"guilty of gross and wilful prevarication;" whereupon they committed you to the custody of the Serjeant at Arms: the Committee has also reported, That, being brought before them again upon a subsequent day, "you persisted in similar pre-

No. III.

Eaton-Hall, March 14, 1813.

My lord; on the receipt of your lordship's letter I immediately went to Halkin for the purpose of making the necessary inquiries relative to the charges against my agent Edwards, for his conduct to Josiah Redfern and Thomas Davies, and I have the satisfaction of sending you the following copies of Declarations voluntarily made and signed by them. The originals are in my possession.

"Halkin, March 13, 1813.

"I, Josiah Redfern, do hereby declare, that no threatening whatever was made to me by either of lord Grosvenor's agents, for not signing the Petition for the county of Flint in favour of the Catholics; that I went to Edward Edwards's office of my own accord, and objected to the Petition; Edward Edwards requested of me to read it, which I refused. In consequence of my refusing to read the Petition, Edward Edwards made use of harsh expressions towards me, and I was discharged from the mines. In two days afterwards I went to Edward Edwards's office, and requested leave to sign the Petition; Edward Edwards said then I should not sign unless I would first read it, and if I could state any objections to it he would not wish me to sign. I am no tenant of lord Grosvenor's. The above statements I am willing to verify by affidavit if required.

"JOSIAH REDFERN."

"Halkin, March 13, 1813.

"I, Thomas Davies, do hereby declare, that no threatening whatever was made to me by either of lord Grosvenor's agents, for withholding my sanction to the Petition in favour of the Catholics, from the county of Flint, and that I am no tenant of lord Grosvenor's. THOMAS DAVIES,

Witness "his ⋈ mark."

"JOSIAH REDFERN."

The following is a Copy of a Declaration made and signed by my Agents:

"Halkin, March 13, 1813.

"We, Edward Edwards and Peter Jones, agents to the earl Grosvenor, do hereby declare, that no threatening was made by either of us, to any person whatever, for withholding his sanction to the Petition in favour of the Catholics, from the county of Flint, and that lord Kenyon's statement in the House of Lords relating to that business is totally erroneous.

"EDWARD EDWARDS."

"PETER JONES."

Redfern, I find, turns out to be the person mentioned in my former letter, whose misbehaviour, and not refusal to sign, had been the cause of his temporary dismission, and which it was rightly conjectured had given rise to the idle report that had been with so much zeal conveyed to your lordship. After the fullest investigation of the affair, I am persuaded not only that no threats, but that no undue influence was used by my agents to induce any in my employ to sign the counter-petition, many of them I find did not sign, and on their declining to do so, no comment was made on the subject. But it would be injustice to my agents not to mention a circumstance that occurred, as striking, perhaps, as that in Redfern's Declaration, of Edwards insisting that he should not sign the Petition until he had read and fully considered it, which was, that some miners having expressed a wish to sign the counter-petition, had been persuaded not to do so by my agents, lest they should incur the displeasure of their landlord, who, it appeared, had pointedly interfered to prevent them. Upon the whole, your lordship will clearly perceive that you have been much imposed on by some officious persons in regard to the conduct of my agents. You seem still, I think, to doubt the respectability of the signatures. You do not, I flatter myself, mean to imply, that even if all of them had been actually those of persons in my employ, or connected with me, that they might not therefore be respectable; but for the rest I must add, that although I have never seen the signatures, I speak from undoubted authority when I say, that to one or other of the counter-petitions will be found the names of sir Thomas Mostyn, sir W. Wm. Wynn, sir Edward Pryce Lloyd, Mr. Douglas, and others, who will not, I think, be classed by your lordship among my dependants. The counter-petition was circulated but in few places, with a view chiefly of shewing that the county of Flint was very far from being unanimous in its hostility to

varication:" and for this aggravated offence, you were finally committed by this House to his Majesty's gaol of Newgate.

"Interrogated to facts necessarily within your own knowledge, and assisted in your recollection, by the interval of a day passed in prison, notwithstanding the repeated warnings given to you, and the unexampled patience of the Committee before whom you were examined, you thought fit repeatedly and deliberately to prevaricate in the face of God and your country, for the criminal purpose of defeating the ends of justice: but those ends have been attained by other means; and you have been left, in shame and disappointment, the proper victim of your own guilt and folly.

"At length, however, the repentance expressed in your Petition, and the extended duration of your imprisonment, (not disproportionate indeed to your aggravated offence), have induced this House to consent to your release. You will return, therefore, to your townsmen and your employers, exhibiting yourself to them as a living and useful admonition, that when witnesses are brought before this House, or its Committees, no attempts of cunning or effrontery will succeed in suppressing the truth, or save the offender from punishment and disgrace. And this House having ordered that you be now discharged, you are discharged accordingly, paying your fees."

MOTION RESPECTING THE REVENUES OF GREENWICH HOSPITAL.] Lord *Cochrane* rose to move, that all papers relative to the Chest at Greenwich should be printed.

The *Speaker* suggested to the noble lord, that if those papers had been laid on the table during the session, there would be no difficulty attending his motion, but if not, he should specify what papers he wished for particularly.

Lord *Cochrane* stated, that he wished for all papers on that subject since the 40th of the King; but on the motion being put from the Chair, no member seconded it, and it fell to the ground of course.

Lord *Cochrane* then proceeded to express his wish, that the state of the funds in Greenwich Hospital should be known, in order to ascertain whether they were sufficient to make provision for that great body of seamen and petty officers, who would be entitled to be placed on the establishment at the conclusion of the present war. The House, he was satisfied, could have no objection to this information being laid before them. His reason for moving for it now was, the fact of his having learnt, that it was in contemplation to devote the Droits of the Admiralty to the current services of the year. The noble lord concluded by moving, "That there be laid before this House, an Account showing the Revenues of Greenwich Hospital, and the sources whence they are derived, also the disbursements for management, and the number of pensioners in each class; distinguishing those maintained within the Hospital from the out-pensioners; also, an account of the number admitted in each year since 1800, and the amount of the pensioners at that time maintained within and without the Hospital."

Lord *A. Hamilton* seconded the motion.

The *Chancellor of the Exchequer* said, it was perfectly new to him that there was any intention of devoting the Droits of Admiralty in the manner stated by the noble lord. He knew of no right which existed in his Majesty's government, to make such an application of those Droits, and if they were so applied, it must be considered entirely as arising from an act of royal bounty. The noble lord had adduced no reasonable ground for the production of the papers for which he had moved. Whether they were of an objectionable description or not, he was unable to judge, but he could not see why the table of the House was to be crowded with useless and unnecessary documents. He should therefore move the previous question.

Lord *Cochrane* persisted in the propriety of the House having before them the information for which he had moved. There never was a period at which it was more desirable that some steps should be adopted to ameliorate the situation of his Majesty's navy. Those brave men of which it was composed, were subject to the most heart-rending oppressions, and, in his opinion, had every cause to complain of their situations. After having been released from the labours of a long and arduous ser-

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the Catholic Claims, although great pains had been taken to make it so.

As your lordship's charges have been so pointedly and so publicly made, and as silence on my part might be construed into an acquiescence in the justness of your remarks, I can have no hesitation in making this refutation as public also. I have the honour to be, my lord, &c.

GROSVENOR.

vice, they were not, as they richly deserved, suffered to return to the bosoms of their wives and families, but were kept almost to the last hour of their existence in a constant and unremitting state of servitude, unless where they determined to sacrifice that reward which their country had provided for them, as a consolation for the buffetings they had undergone, to purchase their discharge. This had frequently been the case; and he had received constant applications, complaining of this species of hardship. Two men had lately applied to him, who, after a service of seventeen years and a half, as petty officers, had been sent to perform that most scandalous of all duties, harbour duty, where there was no distinction whatever between petty officers and private men, and who, rather than submit to be longer disgraced, had expended 80*l.* or 90*l.* each to obtain their discharge. These men were entitled to pensions of 12*l.* or 14*l.* a year; and he was convinced that there was not an insurance office in town, that would not have given them, at their age, for the sums they had paid for their discharge, annuities equal to their pensions. Instead of Greenwich being a source of advantage and reward to aged seamen, it was made a means of recruiting for the navy. Unless some alteration was made in this system, he should feel it his duty to move for leave to bring in a Bill to limit the service of the navy. The House, he was convinced, would see the necessity of pointing out some term at which a seaman's service was to be brought to a conclusion, and at which he might have some hope of resting his frame after an arduous and gallant service, in the lap of domestic happiness and retirement. In consequence of the present arrangements, men were employed who were absolutely incapable of performing their duty, and in his own ship he had found men who, if he had the power, he would much rather have discharged than have suffered to remain on board. In other instances he knew individuals who had been invalided three times and sent into harbour duty, volunteer into active service three times, in order to avoid that disgrace, and finally die amidst the roar of battle when their tottering limbs were scarce able to support them to their quarters.

Mr. *Rose* could not see that any grounds whatever had been laid for the noble lord's motion. The statement into which he had entered, tended to censure the practice that at present existed, with respect to the discharge of seamen. He recollected that this subject had been before under discussion in the House, and that it was then stated, that the present practice had been introduced in order to exempt the men from the necessity of finding two substitutes, under which they before laboured. This question, however, had no connection with the motion, which referred entirely to the management of Greenwich hospital. He believed that the affairs of that department were as well and regularly conducted, as any other branch of the public service.

Lord *A. Hamilton* said, he understood the noble lord had complained of the present system by which the allowance received by seamen from Greenwich hospital was rendered useless to them in consequence of the large sums which they were compelled to pay for their release.

Mr. *Wynn* confessed he could see no connection between the matter of the speech, and the motion itself of the noble lord. As the case, however, to which he had called the attention of the House was undoubtedly hard, it was very desirable that information should be communicated in some mode.

The previous question was then put and carried, when lord Cochrane immediately gave notice that he would, that day month, move for leave to bring in a Bill to limit the Service of the Navy.

Mr. *Croker*, before the House adjourned, rose to make a few observations upon what had fallen from the noble lord in the early part of the evening, when he did not happen to be present. If, however, he had correctly understood what had fallen from that noble lord, he begged leave to say that the noble lord had been wholly misinformed with respect to the sums of money taken instead of substitutes for the navy. The fact was, that the grossest frauds having been practised upon the poor men, under the pretence of providing substitutes for them, the Admiralty had come to the resolution of receiving a certain sum of money from them, and to find substitutes.

Petition of the Printers of London and Westminster respecting Copy-Right.] A Petition of several printers of London and Westminster, was presented and read; setting forth,

"That the petitioners learn by the votes of the House that a Petition has been presented to the House by the booksellers

and publishers of London and Westminster, stating the expence and grievance which will be sustained by the publishers of books, if, in consequence of a recent determination in a court of law, they should be compelled to deliver eleven copies of all works printed and published, as expressed in the Act passed in the 8th of queen Anne, intitled, "An Act for the encouragement of learning, by vesting the copies of printed books in the authors or purchasers of such copies, during the times therein mentioned," and in the Act passed in the 41st year of his present Majesty, intitled, "An Act for the further encouragement of learning in the united kingdom of Great Britain and Ireland, by securing the copies and copyright of printed books to the authors of such books, or their assigns, for the time therein mentioned;" and also submitting, that the distinction contained in the said Act of queen Anne, of restricting the copyright to the term of 14 years, in case the author should be then dead, was in many cases productive of great hardships to the families of authors, and was not founded on just principles; and praying, that leave might be given to bring in a Bill for granting relief, and under such regulations as to the House should seem meet; and that the petitioners, printers of London and Westminster, humbly submit to the House, that the compulsory delivery of eleven copies of all books that shall be printed and published will operate very seriously to the injury of the petitioners, as it will prevent the printing of many works of great importance to learning and science; many of these are expensive publications, and of some only a small number of copies is printed, on account of their expence and risk, and the probability that some of the great libraries mentioned in the said acts above-mentioned would purchase copies, as they have frequently done, has always operated to encourage the undertaking of such publications: these expensive publications are of great importance in the eyes of other countries, and form, in peaceable times, objects of national commerce and reputation, and their diminution would not only lessen the progress of the art of printing in Great Britain, but also occasion a number of men to be thrown out of employ; and the petitioners also humbly submit, that it would conduce to the encouragement of printing and literature if the term of 28 years copyright were to be secured to authors and their assigns, without the contingency of its determination at the end of the first 14 years in case the author should be then dead; and praying, that leave may be given to bring in the said Bill for granting relief in the matters aforesaid, in such manner and under such regulations as to the House shall seem meet."

Ordered to lie upon the table.

MOTION FOR A COMMITTEE TO EXAMINE THE ACTS RESPECTING COPY-RIGHT.] Mr. *Davies Giddy* rose for the purpose of calling the attention of the House, to the Petition from the booksellers and publishers of London and Westminster, which he had the honour to present on the 16th of December last,* praying for a revision of the laws respecting Copy-irght. There were existing acts of parliament, by which those booksellers and publishers, who wished to secure to themselves the exclusive right to the property of their works, could do so by entering the same in Stationers' Hall, and furnishing a certain number of copies to the Universities, &c. There were other acts which seemed only to apply to the penalties, which booksellers and authors would be entitled to, on condition of furnishing such copies, but by which, if the penalties were not sought to be enforced, the Universities did not seem to be secured in their copies. By a recent decision, it had been held that the Universities were entitled to those copies, whether the proprietors of the works chose to enter them in Stationers' Hall or not. The booksellers thought this was a hardship upon them, and that there were certain points relating to it, in respect of which they were entitled to relief. First they were required to furnish eleven copies of each work, upon the best paper that should be printed and published, or reprinted and published with additions. In the present system of printing costly editions on fine paper, with a profusion of plates, it was peculiarly hard on booksellers to deliver such a number of copies to the learned bodies; nor did it end there; for they were obliged to deliver subsequent copies of every successive edition in which there was the slightest addition of any kind. This was evidently a very severe imposition, and was felt peculiarly by those who contemplated the publication of books containing prints. It also happened, that in some cases but

* See vol. 24, p. 308.

very few copies of learned books were ever printed; and he would quote one instance, the Flora Græca of Dr. Sibthorpe, late professor of botany at Oxford, a most expensive work, of which he believed not more than thirty four or five copies were sold in all Europe. In cases like this, the condition of giving so many copies amounted to a total prohibition of publishing the work, and would have suppressed this magnificent addition to natural history; but for the affluence and liberality of his lamented friend; who, having spent several years in the Levant to collect materials, left a considerable property applicable in the first place to publishing the Flora; and then to founding a professorship at Oxford of the art, most useful at least to the whole of mankind. He had undertaken to present the Petition of the Booksellers, on the clear understanding that he was not to stand forth as their champion. No man in the world could be less disposed to oppose the just claims of the Universities than himself. He was sincerely attached to those learned bodies; he recollected with pleasure the many years he had spent in Oxford, and would always support their just rights; but he thought some expedient might be found to relieve the booksellers from this enormous pressure. The hon. gentleman concluded with moving, "That the Act 8 Anne, c. 19, for the encouragement of learning, by vesting the copies of printed books in the authors or purchasers of such copies, during the times therein mentioned; and the Act 15 Geo. 3, c. 53, for enabling the two universities in England, the four universities in Scotland, and the several colleges of Eton, Westminster, and Winchester, to hold in perpetuity their copy-right in books given or bequeathed to the said universities and colleges, for the advancement of useful learning, and other purposes of education; and for amending so much of an Act of the 8th year of the reign of queen Anne, as relates to the delivery of books to the warehousekeeper of the Stationers' company, for the use of the several libraries therein mentioned,—and the Act 41 Geo. 3, c. 107, for the further encouragement of learning in the united kingdom of Great Britain and Ireland, by securing the copies and copy-right of printed books to the authors of such books, or their assigns, for the time therein mentioned, might be read;" and the same being read; he next moved, "That a committee be appointed to examine the said acts, and to report whether any and what alterations are requisite to be made therein; together with their observations thereon to the House."

Mr. *Rose* agreed that some mode ought to be fallen upon, to secure their copies to the Universities without too much trespassing on the property of authors and booksellers.

Mr. *Wynn* concurred in the opinion that the law, as it now stood, operated as a severe tax on a body seldom able to meet great exactions—the body of authors. He had the utmost filial respect for the Universities, and was anxious for the enlargement of public libraries, but thought no grievance ought, with a view to their interests, to be suffered to oppress the professors and cultivators of general literature. The tax fell too, it ought to be observed, on valuable publications, and did not at all apply to the insignificant productions of the daily or periodical press, which the Universities did not think it worth their while to claim. He might mention, that the copies of lord Valentia's work, which he was obliged to send to the public universities, were said to have cost him 500*l*. These copies, likewise, if not wanted by the bodies to whom they were sent, were sold, and thus came in competition with the impressions already in the market.

Lord *A. Hamilton* did not intend to oppose the motion, but merely to state a general observation which had occurred to him. The law had been called a tax on authors, but it was the booksellers who now complained of the law, and asked for its revision. It would not be difficult to show that it was impossible it could press upon both. In fact, in his opinion, it was really paid by the public at last, whatever was the previous expense incurred by the one or the other. Upon the whole, he thought that the cost of one copy was not so great an evil to the publisher as to be any balance to the advantage of furnishing the Universities and public bodies with copies of all literary productions.

Mr. *J. H. Smyth* thought the object of the present application was to get rid of the obligation imposed by the Act of queen Ann, and to retain the benefit conferred by it. His hon. and learned friend (Mr. Wynn) had called the regulation alluded to a tax on authors: it was incumbent, however, on those who thus characterised it, to shew that its evils were less than its advantages. No author, he was convinced, would object to such a distribution of his work, if its effect

would be to shew it to thousands of eyes which would never otherwise see it, in which same proportion his own celebrity would be increased. As to the idea of works printed on fine wire-wove, hot-pressed paper not being subjected to the operation of the Act, he thought those were exactly the works on which, more peculiarly, such a burden ought to fall. The time for allowing to authors a property in their works, he thought ought to be enlarged; and also, that an alteration should be made on the Act of the 41st Geo. 3, by which the works to be furnished to the Irish libraries were limited to those actually entered at Stationers'-hall.

Mr. *J. P. Grant*, though connected with one of the great bodies affected by the regulations in question, declared that he had no private feeling on the subject; on the contrary, he was certain that the learned body to which he belonged would be happy to meet the question liberally, and that their only object was the advancement of learning.

Sir *S. Romilly* said the hon. gentleman who spoke last but one was under a great mistake when he stated that the object of the present application was to get rid of the obligations of the Act of queen Ann and to retain the benefits of it. No man could do so without depositing eleven copies of his book: and by the late decision, though a man did not claim any exclusive benefit under the Act, still he must give the eleven copies. There was another mistake under which the hon. gentleman laboured, in supposing that the Act of queen Ann conferred a benefit on authors: no such thing. Before the passing of that Act, authors had the exclusive property in their works; and the Act in question went to limit that right to 14 years in the first instance, and to another period of 14 years, if the author should be alive at the expiry of the first period. The only privileges conferred by this Act which authors did not before enjoy, went to some penalties which were immaterial. It was extremely desirous that every encouragement should be given to the public libraries; but was it necessary that this should be done by a tax upon learning? This was said to be a tax not on authors but on booksellers. Was it not, however, a tax on authors wherever they kept their works in their own hands? As the case now stood, no doubt, the privilege was absurd and unequal. A man had a second period of 14 years in which he had an interest in his work, if he survived the first 14 years; but, if he died before the expiry of the first period, then his executors had no farther interest in the work. It operated in a way most injurious to the best interests of literature; for as young authors were more likely to reach the second term than old, it gave the immature and jejune compositions of the former double the reward reserved for the productions of ripened genius.

The motion of Mr. Giddy was then agreed to, and a committee of 21 was appointed.

MOTION RESPECTING JURISDICTION IN MATTERS OF BANKRUPTCY.] Mr. *M. A. Taylor* rose to submit his proposition to the attention of the House, previous to their entering upon the discussion of the Vice Chancellor's Bill, as it was closely connected with it. With regard to the office of Lord Chancellor, it seemed to be the general opinion, that some relief should be afforded to the person filling it, and the only question was, what step was most likely to render that relief permanent and efficient? His own plan had met with the approbation of several gentlemen in that House, and it was rather in obedience to their call than to any confidence in his own power of enforcing its utility, that he now ventured to submit it. One great objection he had to the Vice-Chancellor's Bill, was, that it would render in times to come the Lord Chancellor of England more a political man than he wished him to be. As the keeper of the royal conscience, and as a cabinet minister, it would be farcical and ridiculous to say that he must not be a political character; but he would maintain that his duty in those respects was only a secondary one, while his first and most imperative duty was in the court of Chancery. He had many other objections to the Bill, which, however, he would not press now, as the question had already been so fully discussed. He was decidedly of opinion, however, that it would not afford that relief to the Lord Chancellor which was expected. For example, the Vice-Chancellor might be ill, or in the course of nature, he might become old, and then what assistance could he give? and, indeed, there was that general impression upon the minds of the suitors with regard to the ultimate decision of the

great seal, that they would not be satisfied with what was pronounced by any deputed authority; appeals would therefore ensue, and the hearing of them would be just as laborious as hearing the causes originally. He did not object to the Bill because it intended to give relief, but because it would not give relief enough. With respect to the plan he meant to propose, it would have for its object the removing of the bankrupt jurisdiction, from the office of the Lord Chancellor, of which office it formed no part *quasi* Chancellor. It was in no shape annexed to the great seal, but had been superadded by statute in the reign of queen Elizabeth. And why was it then superadded? Because the regular business of Lord Chancellor was not so great, as to render the additional jurisdiction of bankruptcies any impediment to its discharge. But, suppose it were now to be proposed for the first time, to superadd the jurisdiction of bankruptcies to the office of Lord Chancellor, would they with their eyes open, and knowing the various and important duties already attached to it, consent to its being so superadded? Certainly not, and neither would it have been superadded by statute in the reign of Elizabeth, had the duties of the Lord Chancellor then been what they now are. If, then, the object was to relieve the Lord Chancellor, the most effectual way would be to take from him what had been superadded by statute. Bankrupt causes were likely to increase. He did not mean to refer to any particular pressure as the cause of that increase, for if there were a peace to-morrow, in an opulent country like this, there would always be speculations that might end in bankruptcy. Many of those bankrupt causes were of a pressing nature, and it was necessary to hear them, often to the interruption and delay of the regular Chancery business; so that it became a matter of real importance to consider how the jurisdiction of them might be removed from the office of Lord Chancellor.—The hon. member then entered into some observations upon the nature of the objections which he had heard made to the separation of the bankruptcy causes from the office of Chancellor; and maintained that none of them were valid or satisfactory. If the fees of the bankruptcy causes were not sufficient to induce a man of talents and eminence at the bar, to accept the situation of judge of these causes, they ought not to hesitate to provide liberally for the office. He should move that the House do resolve itself into a committee on the subject, when he would propose the few arrangements necessary. Few arrangements would be necessary, as the business would be done by introducing in the statute on the subject the name of the chief commissioner of bankrupts to the Lord Chancellor, there being at present a secretary, and all the other accompaniments of a separate jurisdiction. If the measure which had been brought down to them from the Lords were adopted, he was convinced that in a few years the delay would be as great as ever, and they must come again to the House with the expedient he now proposed, or some other. If the House adopted his plan, they would afford relief to the Master of the Rolls, as the chief judge in matters of bankruptcy, might sit at the Cock pit, when not employed in his peculiar jurisdiction, and the Master of the Rolls might, during his unoccupied time, assist the Chancellor. He concluded by moving, "That this House will resolve itself into a Committee of the whole House, to consider of such parts of the Statute of the 13th of Elizabeth, c. 7, and other subsequent Statutes, as give the jurisdiction in matters of Bankruptcy to the Lord High Chancellor of England."

Mr. *Leach* said, that on the present occasion he did not feel it necessary to enter into the discussion of the Bill, which would soon come again under their consideration, nor to discuss that plan which he had on a former night suggested to the consideration of the House. The hon. gentleman who had brought forward this motion, had applied himself with much attention to the subject, and the public was greatly indebted to him for his application to it, but that hon. member had not obtained the most correct information as to the amount of the bankruptcy business in the court of Chancery. It could by no means be estimated, at one-third or one-fourth of the business of the court. Formerly the whole business was transacted in six days at the end of each term, and till very lately never occupied more than twenty. From commercial distresses of late years, the causes had much increased, and the number of causes last year must be esteemed at much more than the average. But he should calculate on the business of the last year, without making allowance for the fractions of

time occupied by persons wishing to be heard out of season. During that year 604 orders were made on causes of bankruptcy, and of these, 396 were made in 14 days of the month of August. During 10 of these days, indeed, the Chancellor had sat both morning and evening, so that these 14 might be reckoned as equal to 24 days. As it was certain that in 24 days two-thirds of these causes had been heard, so in 36 days a judge might hear all. Was it fit, then, that a separate judge should be constituted for this purpose? They had come there, however, not to consider what was fit in the abstract, but to consider whether the proposed measure would be a remedy for the acknowledged evil. The extent of the evil might be learnt from the noble lord who had proposed the Bill, on which they should that night have to consider. It was by him proposed to withdraw the Chancellor from his court to the House of Lords three days in each week during the sitting of parliament. These three days, during the six months, would amount to 72 days; and unless they gave the Chancellor an assistant for 72 days, they would not provide against the evil. Indeed, time must be added to subdue the arrears, and if the bankrupt causes occupied only 36 days to subtract these causes, the effect would be that the arrears would go on accumulating. In short this measure could not succeed. Another reason for his objecting to the motion was, that as the jurisdiction in bankruptcy causes was equitable, it should be performed by a judge practised in the court of equity, as it was universally admitted, that a judge habituated to an equitable jurisdiction must make a sounder application of the principles of equity than any other. For these simple reasons he should object to the motion.

Mr. *Marryatt* made some remarks on the defects in the bankruptcy jurisdiction in general. At Guildhall there were sometimes from 100 to 130 meetings of creditors on the same day, which created such a scene of confusion as resembled more a bear-garden than a judicatory. From the press of people, and the difficulty of getting the business done, he himself had often been induced to defer the time of proving his debts, and on finding this scene renewed, had been at last unable to prove them at all. This might be obviated by separating the controverted from the uncontroverted debts. The assignees were, notwithstanding the statute provided in the case, not sufficiently checked, and had an interest to protract the distribution of the property. By an office similar to that of accountant-general of Chancery, this might be provided against. It was remarkable, also, that the Secretary of Bankrupts' office could now afford scarcely any information, as to the Chancellor's part in this business. The causes, owing to his other multifarious business, frequently did not come on at the days appointed, which he had experienced in a case in which he was an assignee. From this arose great inconvenience and expence, against which the motion before them was, as he conceived, the most effectual remedy. If the bankruptcy cases were transferred to a separate judge, the commissioners might revolve round him as satellites, round their planet; while at present the Chancellor visited them like a comet, once in a century, and with inconceivable velocity. After touching on the benefit of division of labour in this, as in other cases, and on the inconveniences of the situation of Vice-Chancellor, he concluded by supporting the motion.

Mr. *Abercromby* observed, that the objections of the hon. gentleman who spoke last, would apply more properly to a motion of which the member for Oxford had given notice. The Vice Chancellor's Bill, and the measure before the House, were totally distinct. The first was a complaint from the House of Lords, that they could not do their judicial business, and offering a remedy; and the motion before them included a complaint against delay in the court of Chancery. As to this last subject, they had no information before them; though a committee had been sitting on the subject during two sessions, yet they had not been permitted to examine those persons who were best acquainted with the subject. As to the Bill from the Lords, if it were injurious to other parties, that House ought to reject it, and the Lords should devise a less objectionable remedy. —As they had not sufficient information before them he should oppose the motion.

Mr. *Canning* was of opinion that it was expedient to separate some great limb from the office of the Lord Chancellor, and he conceived that none could be separated with so little diminution of the general importance of the office, and with so little change of its constitution, as that which was not in its essence, but which

had been superadded to it by statute—the bankruptcy jurisdiction. He was pledged to the hon. gentleman, if he pressed his motion to a division, to vote with him; but he did not expect that he would have brought the subject forward in its present shape. He thought a better mode would have been to have discussed the merits of the Vice Chancellor's Bill, and, had it been adopted, to move the present proposition as rendering it less objectionable.

Mr. *M. A. Taylor* did not conceive that he could have brought forward his present proposition in any other shape. He certainly should not press his motion to a division; but he trusted that those who thought his plan preferable, would vote against the Vice Chancellor's Bill.

Lord *Castlereagh* really thought that the hon. mover had brought forward his proposition in the only fair way in which it could have been made to the House; and that the right hon. gentleman (Mr. Canning) had exhibited more of generalship than friendship in the way in which he had treated the subject. At the same time he must decidedly oppose the motion, as substituting an operose, novel, and expensive arrangement, in lieu of that which had already been proposed to the House.

Mr. *Ponsonby*, although he did not entirely approve of the mode adopted by his hon. friend, yet assured him that if he pressed his motion to a division, he would vote for it.

Sir *Samuel Romilly* was very unwilling to address the House, as he found it impossible to support the motion, brought forward as it was, as a relative, not as an individual motion. The noble lord was right in treating it as he had done; but would he support it? The noble lord had described it as expensive—expensive, no doubt, as compared with the proposed Vice Chancellor. He did not see why it should cost a penny. At present the Chancellor received the bankrupt fees; fees received by the secretary for bankruptcies, to whom he paid a salary. No judge ought to be paid by fees, not that any judge could be influenced by them, but they were in this case levied on misery and insolvency. He approved of the proposed measure, because it would leave the Chancellor at liberty, and not take him out of his own court. It was particularly worthy of observation, that out of twenty bankrupt cases, not more than one, perhaps, would comprise a question of equity; and where such a question did arise, the Chancellor ordered a Bill to be filed, that it might be brought before him in the regular and ordinary way. The danger which would arise from the measure introduced by the noble lord struck him most forcibly—when they made him, by the proposed Bill, a political, instead of a judicial character, it would operate a most mischievous change in the whole system of the profession. It would be the means of withdrawing the Chancellor from his court, to attend to his political duties; and he would maintain, that the judicial business of that officer was not so much increased, in modern times, as his political avocations. The question, therefore, was, should the House go into the committee as proposed by his hon. friend, or, in the outset, declare that his proposition was unworthy of consideration, and proceed to pass the Vice Chancellor's Bill, and perpetrate that mischief which, if once done, would be irrevocable? In the first place, they ought to consider the evil which must arise from taking the Lord Chancellor out of his court. Gentlemen, founding their opinions on a pamphlet which had been published on the subject, argued, that he would be only wanted in the House of Lords three days in the week, and that this would be his only absence from Chancery. But why was his absence to be restricted to that time? The statement of the Lords was, that it would be necessary for them to sit at least three days in the week, from ten o'clock in the morning. In addition to this, the political duties of the Chancellor would occupy much of his time. Even in the last week, the Court had been shut up two days, in consequence of his attendance to political business. But, if the Bill were carried into effect, it would be the means of taking the Chancellor from his court almost entirely. He would cease to be acquainted with it—he would be an absolute stranger to it—he would no longer reside in that part of the town where the professors of the law were to be found—he would become an inhabitant of the political part of the metropolis. The person filling the situation of Chancellor, ought to be a man perfectly well acquainted with the law of real property—a law which was not only to be acquired in the course of practice, but which must, in the first instance, be understood by deep and sedulous study, before a lawyer commenced his career in

that branch of the profession. He should be a perfect master of the doctrines of equity, which were, in fact, *dicta* emanating from the Lord Chancellor—not from him who immediately exercised the functions of the office, but from his predecessors, extended and enforced by himself. And, it was most important, that the Chancellor should also be acquainted with all the persons who practised the law. This was necessary, because the whole patronage of the law was in the hands of the Lord Chancellor, except the situations of the Welch judges—and these, he understood, were excluded, as being of a political nature—they were, therefore, in the appointment of the first lord of the Treasury. All other judicial offices were, however, in his nomination—the Master of the Rolls, the twelve judges, the King's counsel, and the commissioners of bankrupts, mainly depended on his recommendation for their appointment. Why, then, should such a power as this be placed in the hands of a man ignorant of the court of Chancery, incapable of judging of the individual merits of lawyers, and who would be only important as a great political engine? The person elevated to the rank of Chancellor should have a practical knowledge of the state of business in this court, that he might be able to expedite it, to correct any abuses which might be observable, and to bring back the practice to what it was in former times. At an earlier period, it was customary for the Lord Chancellor, when he first took his seat in the court, to enter into a brief view of the situation in which he found it, and to state what course he intended to adopt, for the reform of evils, and the general dispatch of business. The great lord Bacon, and others, the glory and the pride of the profession, had done this. The inauguration speech, (if he might be allowed the term) of lord Bacon, was still preserved; and in it he pledged himself as to the line of conduct he would pursue; thus laying down certain principles, by which an accurate judgment might be formed of the manner in which he fulfilled his covenant with the public. But was this course to be expected from some lord Shaftsbury—some mere intriguer—some common public debater—some hackneyed politician, ready at the nod and beck of those in power? And yet, such would probably be the Chancellors hereafter to be formed under this Bill. The hon. and learned gentleman then entered into the merits of the Bill, which he censured, as making the Lord Chancellor less a judge, and more a political character; and, therefore, as tending to induce him to make appointments on the ground of political connection, rather than of professional excellence.

Vice Chancellor's Bill.] Lord *Castlereagh* moved the third reading of the Vice Chancellor's Bill. Strangers were then ordered to withdraw; when the House divided, there appeared

For the third reading	127
Against it	89
Majority	—38

Another division took place, on an Amendment proposed by Mr. Canning, that the duration of the Bill should be limited to seven years.

For the Amendment	114
Against it	145
Majority	—31

The Bill was then passed.

HOUSE OF LORDS.

Friday, March 12.

Conduct of the War in the Peninsula.] The order of the day being read,

The Marquis *Wellesley* rose and addressed their lordships as follows:

My lords; what secret cause amidst the splendid scene that has been exhibited on the peninsula—what malign influence, amidst the rejoicings and acclamations of triumph, has counteracted the brilliant successes of our arms, and has converted the glad feelings of a just exultation into the bitterness of regret and disappointment? With an army in discipline and spirit, superior to any that had ever been assembled; uniting in itself, qualities so various, as never to have entered into the composition of any other such assemblage of force—with a general, pronounced by the whole world to be unsurpassed in ancient or modern times, the pride of his country, the refuge and hope of Europe—with a cause, in which justice vied with policy, combining all that was ardent in the one motive, with all that was sober in the other—with the eyes of Europe fixed on our movements—with the admiration of the world excited by our achievements—how is it, that our hopes have been raised only to be frustrated—how is it that we have been allowed to indulge in expectation of an approaching completion of

success, only to behold the utter disappointment of our wishes? Why has a system of advance suddenly and inevitably been converted into a system of retreat? When victory actually sprung from the bosom of retreat, why was the glorious victor compelled to relapse into his retrogression? Why has it happened, that we have seen the great conqueror, who had chased the French armies from the plains of Salamanca, pursued in his turn, by those whom he had conquered, over those plains which had been the scene of his former triumphs? Why, in conclusion, has a system of offence shrunk into a system of defence; and what is the reason that our military operations in the peninsula have ended where they began?

My lords, I say, that all these questions deserve most serious attention; they are questions most important to the country, and require the most ample explanation.—Are these fatal events the result of the weakness of the empire?—Is it that, in the great contest in which we are engaged, (the grounds of which are so familiar to us) the resources of the country have failed?—Is the weakness in the thunderbolt, or in the hands that wield it?—Are we to understand, that the resources of the country are deficient, or that those who have the management of them do not possess that wisdom and energy, which should direct their application? Your lordships will seek, in the answers to these questions, whence you are to trace, under all the circumstances of advantage which have opened to you, the causes of our failure, and the disappointment of our hopes: you will learn whether the resources of the empire are inferior to the great attitude that Great Britain has assumed in the peninsula and in the world; or whether the misfortunes which have attended our efforts, are to be traced to those who have had the administration of our resources. If you shall find, that the events we deplore are not attributable to any deficiency in the resources of the empire, but to the weakness and imbecility of those who direct them, then it will be for your lordships to pronounce judgment on the conduct of those who have enfeebled our means, and have betrayed a mighty cause. If, on the other hand, it shall, upon inquiry, appear, as the result of all the facts before you, that the effort we have made has been complete, and that England has done her utmost; that England can go no further, and that engaged, as you were, by every sentiment that can inspire the breast of a patriot, zealous for his country's glory, and for the welfare of mankind, or that can animate a nation, inspired as this has been, with the noblest motives of generosity and justice, you at length, by experience, find your exertions and the efforts of the country to be vain and hopeless,—then it will be for your lordships to say, whether you shall not tread back your steps, and correct your error, upon the ground, that England has done her utmost; but that the great strain of her force has not been able to bring you nearer to your object, than you were at the commencement of the campaign. In any view of the question, it is one, which demands the fullest inquiry, and the most serious exercise of your deliberative powers.

In what I have to state to-day, I do not mean to impute to his Majesty's ministers any intention of providing means inadequate to the magnitude of the cause in which the country is engaged: the difference between us will be this;—have the resources of the country been adequately managed by them during the last year? Have they been sufficient to reach the object we all hoped to attain? And with that view, let us examine, what the crisis was at the commencement of the campaign; and let us compare it with the exertions that have been made, and with the means of the country.

Where any description of persons present themselves before the country, in a crisis of war, difficulty, and of arduous contest, the nation has a right to call upon them to be equal, not only to the difficulties that may come upon them, (difficulties long in prospect, long foreseen) but also to be able to meet unexpected difficulties; and still more has the nation a right to expect, that persons in such a situation should be equal to meet the advantages that may occur incessantly; but, perhaps, the most moderate request the nation can make, to those who are in the capacity of having to exercise the duties of the ministry, would be to take advantage of circumstances, which are proceeding by degrees, and by steps accompanied by all those signs that denote their approach; going on, not suddenly, rapidly, or unexpectedly; but proceeding regularly as the result of the established causes, destined by Providence to designate the probable course of human events.

But above all, if these effects operate

not unexpectedly, but in a regular, established course, in such case, more particularly, the nation has a right to expect, that ministers should be equal to the crisis which came upon them; and that a system of acknowledged policy should regularly proceed, by adequate causes, to adequate ends.

The state of affairs in Spain, and the exertions of this country in aid of the cause of Spain, form the first objects of our consideration.

I know that with respect to the policy of our interference, there originally existed a very great difference of opinion. The object of that policy in its first commencement was this: the question was, whether by securing Portugal, and other important objects, such an example of the military means of the country would not have the effect of establishing a system, out of which might grow encouragement to the rest of Europe, by holding out hopes of support to those states about to sacrifice their independence, at the same time influenced by the spirit of resistance, but not daring to avow it. The object of our policy was to admonish those who required our assistance, that they had only to assert their independence in order to obtain it, and that there was no nation over which the influence of France had unfortunately spread its baneful wing, that if it would rouse itself, might not, with the assistance of this country, find the means of correcting what was mischievous and injurious in its own government.

This seemed a natural course of things; but there were some, and one in particular, (lord Grenville) whose opinion, indeed, disagreed with my own, but whose person and character I have always regarded with love and veneration. To these, it seemed better to await the event of circumstances in other places, and not engage so deeply, till other causes for our interposition had more fully developed themselves. Whatever may have been the effect of their system, it is due to them to say, that they acted upon the best judgment they could form at the time. I have stated, (and I have not the least intention of retracting the opinion,) my belief to be, that great as have been the exertions of Spain, the aid of our armies was necessary to promote, and to facilitate those exertions; and that our efforts, had they been adequate to our means, would have been important towards effecting the general restoration of the affairs of Europe. My firm conviction and belief, expressed in this House, in the cabinet, out of the House, every where, have always been, that the great hope of Europe lay in the exertions of Spain and Portugal, aided by the British arms. There were, at the particular time to which I wish to advert, favourable circumstances which influenced my opinion. I am betraying no secret when I state, that as early as April 1811, and even before that time, many persons in this country, and particularly his Majesty's ministers, (and if they wish for any remembrance on the subject, let them look at the paper which I now hand over to them) knew perfectly well, that Russia was laying the foundation of that general effort which she has made, and is now making; that she was laying the foundation of that effort in the most plain and intelligible manner; that we had before view, the preparations she was making in every part of her empire; that it was her object not to make war against France—not to carry on a contest for power—not to proceed in imitation of the French government, but to establish the foundation of such a resistance as that, if the French should pursue their plans of conquest and aggression, they might not only be repelled from Russia, but that Russia might lay the foundation, on honest and fair principles, of those exertions, which would enable her to convert her system of defence, into a system of offence.

It was a system which grew under our eyes; it was no matter of astonishment to any one. If you doubt what I say, see what the emperor of Russia says on entering Prussia. He says, "that he was perfectly prepared; that he had prepared the means of resistance long and regularly, and that he expected the result which had taken place, as the natural effect of what he had established." This was the state of circumstances with regard to the system adopted by Russia. It was growing, not in a way to be doubtful; it was growing, not only under your eyes, but in the eyes of the whole world; it had reached that period, at which no man could doubt what would be the result. As we were all acquainted with the ambition of the ruler of France, and as no one could expect him to diminish his efforts, it was evident, that the result would be such a resistance on the part of the Russian empire, as in all probability, would be attended with the most favourable consequences. Not only was that

resistance attended with circumstances the most favourable; not only were they most favourable as to the decision of the campaign, but they produced a strong disposition in other countries, to avail themselves of the fallen influence of France, and of the blow which had been so successfully struck against her power, and the ambition of her ruler. The effect of the exertions of Russia went further: I am stating what is known to the world. It is perfectly well known, that the disposition of a large part of the army and population of Prussia, was decidedly in favour of the cause of Russia. The army of Prussia, to a certain degree, was paralyzed and neutral. With regard to Austria, she was desirous of asserting her independence, but did not dare to do it. This, I think, was the great advantage produced, as to the situation of Austria, by the effect of the system pursued.

What had we to desire? What was the object we had to urge during this last crisis? I speak of that, with respect to which I can speak with certainty, because I can refer to the documents on the table. Could we wish for any thing better, than that Austria should assert her independence,—that circumstances should impel her to assert her independence?

She had been under the necessity of reducing her military power; but this great crisis afforded her the opportunity of raising it again. It was within her own power that she should be independent, which I think she is now. What her sentiments may be, as to England and British counsels, I know not; but it is a point on which is raised the whole of this question. What have been the counsels we have given her? Have we given her the means of recovering her independence? The first object was, to free her from the war, and to induce her to abstain from assisting in the destruction of the independence of other powers. Whether with regard to Austria we have acted wisely, and honestly, it is essential to know. There was another country favourable to the crisis which the exertions of Russia had produced. Sicily, from a variety of causes, had detained a great British force, had neutralized, and rendered it inactive, for the general contest in which we were engaged. Owing to the conduct of a noble lord, whom I am happy to call my dear friend, with whom I have been associated under great public difficulties, whom I found one of the most active, able, useful instruments, that could be employed in so great a cause; one of those who had watched over the first dawnings of lord Wellington;—I mean lord William Bentinck: owing to him, at last, the great disposable force in Sicily was at liberty to co-operate in the common cause.

This is not all: the advantages you possessed in other parts of Europe, as well as in the scene of action, even surpassed your hopes. I have stated, and I think the best system to be adopted, was to concentrate your efforts. The state of circumstances was of such a nature, both here and in the peninsula itself, as rendered it proper, in the first instance, only to try the experiment on a limited scale. I thought so at the time; and I still think, that such was the proper line of conduct at the commencement of our first operations.—But I am no less decidedly of opinion, that great exertions ought afterwards to have been made. It is certainly any thing but wisdom to have conducted the contest in its subsequent and more advanced stages, upon the same principles upon which it had been prosecuted at the beginning.

The strength of your situation in the peninsula, during the last campaign, was totally different from what it had been at any time since the commencement of the war. I have taken the date of the opening of the campaign (and I wish the noble lord to understand, that it is because I would avoid lessening any part of the glory and advantages of that campaign) from those two splendid successes, the reduction of Ciudad Rodrigo and Badajos. These advantages had been accompanied with a most extraordinary, and a most fortunate, failure in the means and relaxation of the exertions of the French in the peninsula. The state of their govern[ment] there was such, that I do not know to what to compare it, except, as an intelligent friend has suggested to me, to the weakness of the governments whom we have, at different times, endeavoured to combine in alliance with us. The efforts of the French army had been deprived of the advantages of unity, of counsel, and action. Distraction reigned among the generals; the exertions of the army were wholly different from those which we had seen covered with success, when the soul which inspired it was present, directing every movement, and infusing vigour into its operations. Instead of superintending the army in person, its general was com-

pelled to abandon it; to leave it to conflicting powers,—to authorities ridiculous and contemptible. I hardly know how to express my ideas of the wretched nature of the central government under Joseph. A miserable government, without power, with out authority, without talents to creat respect, to secure compliance, or to command obedience, with each part of it in a state of hostility, with respect to the other. Their army was hardly in a better situation. The commander in the south not able to assist, or draw assistance from, the commander in the north; and the general in the north, as little able to calculate upon the assistance and co-operation of the commander in the south.

Here, then, was a most astonishing and favourable circumstance. When the ruler of France confined himself to one object, which, however impossible the attainment of it might be, was a French object, his army seconded his views, and was ready to sacrifice itself for the principle which it considered a national one; but when his ambition led him to distant enterprises, when he embarked in projects to be carried into effect, at the same time, in different parts of the world, and when, instead of directing his plans himself, he left them to a government more weak and imbecile than any that disgraced Europe, then, as might be expected, we found a system adopted, the reverse of that which had led to his former success.

This brings me to a point, which, among others, I adverted to on the first day of the session. It was supposed, I had said, that it was absurd in the British government to think of making any effort in the peninsula, unless we had a force superior to that of France. I never conceived such an idea: I will state the idea I always had above all others, under the circumstances applicable to the question before you. I have before stated to you, that the original project we had in view, at the period of our co-operation in the peninsula, was the security of Portugal: and that point obtained, it was to be considered, what would be the best mode in which we could render assistance to Spain.

I have always conceived, that the mode should have been this, and your failure shows, that it is the mode to which you should have had recourse. Had you resorted to it, you might have attained your object, with a force not even equal to that of the enemy. You were aware that the French force must be spread over a large surface of country; that they would be under the necessity of extending themselves over a great portion of the Spanish territory; and that, therefore, they could not present themselves in an united body, to the whole of your army; that they could not oppose to you the whole body of their force. Your system, therefore, should have been, to have had a force able to maintain active operations in the field, and another force competent to keep in check the main body of the French army. Experience has proved, that this was the proper mode of proceeding on our part; and it was a plan that might have been carried into complete execution. The noble lords opposite me, need not be informed, that in the south of Spain, Soult with a large army, was under the necessity of employing it in such a variety of operations, that he presented to sir Rowland Hill, a force of not more than 17,000 men. Sir Rowland Hill never had a force consisting of more than 4,000 or 5,000 British, and 12,000 or 14,000 Portuguese and Spanish; yet, with that small army, he was able to maintain a certain degree of resistance, and to keep Soult in check. This affords the clearest view of the principle for which I contend: I say, we should have had a force sufficient for active operations, and another, adequate to keeping in check any separate corps of the French army: would not this have been an advantage operating in the most powerful manner? Was not this advantage well known? Might it not have been turned to the best account, if our government had understood how to seize the favourable moment? Marmont's army was comparatively weak—Soult's army was divided—the central government was destitute of energy, and divisions and distractions existed among its officers; therefore, if ever there was a period when every circumstance demanded extraordinary efforts—if ever there was a crisis which required the greatest exertions—if ever an opportunity offered, beyond all that had ever before occurred, this was the crisis which should have produced in every man, an unison of feeling, as to the course to be pursued. It was a time—an opportunity—calculated to unite the opinions of all men, even of those who differed most from me on the preliminary parts of the contest. All must agree, that if ever there was a crisis in which the cause of Europe was at stake, this was the crisis.

However unfavourable some opinions might at first have been to the continuance of the war in the peninsula, yet, if a case occurred, when a powerful diversion was to be expected from an ally, or a powerful diversion to be made in favour of an ally; if a most singularly favourable opportunity offered for making such a diversion, and striking an effectual blow against the enemy; if the faith of the country had been pledged to make that diversion, and to carry on the war in the south with the utmost vigour, (and Russia acknowledged, that she acted upon the confidence that every exertion would be made by us in the peninsula), in such a state of things, and under such circumstances, could your lordships hesitate as to the conduct to be pursued by this country? Would you not have considered it bound to direct its utmost efforts against the enemy in the south, in order to take advantage of such a favourable conjuncture?

Not only might the greatest advantages have been procured, by such a course of conduct, but your faith was pledged towards other nations, who looked up to you for support and encouragement. Russia felt, that the example of what you had done, was the source of those great exertions upon which she now so justly prides herself. Russia was sensible that you afforded her the opportunity of making those exertions. It is true, that the efforts you made in favour of Spain, were made on general grounds; but you looked forward to those effects, which have been produced on the part of Russia. Your engagement, however, to Spain went further; your faith was pledged for the independence of Spain. I say, without the fear of contradiction, that if our exertions in Spain had been adequate to the crisis, a great alteration would have been produced in the state of affairs in the peninsula, and the most important advantages would have been gained in the progress of the campaign. Having established Portugal as the source and basis from whence other countries looked with confidence to the continuance of your exertions; having every thing in your favour—the disunited state of the French army—a notorious want of resources and exertion on the part of the enemy—their distracted councils—and the certain prospect of those splendid efforts which have since been made by Russia,—all this formed a great and material difference, and held out this particular period as the important crisis, when the grand effort was to be made, and every nerve strained, for the redemption of Spain. Upon this point, therefore, I wish in the first place to direct your attention, if your lordships shall be pleased to go into the inquiry which I mean to propose.

The next point upon which I shall address you, will be, to compare the exertions we have made with the nature of the crisis, and to point your attention to the manner in which this opportunity has been improved, or rather neglected.

I have stated to your lordships, that, so far from under-rating the advantages we have obtained in the course of the campaign, or disparaging our successes, I am, on the contrary, disposed to give full credit for those two most important events, the reduction of Ciudad Rodrigo and Badajos; but, even those great achievements were accomplished more by the skill of your general, and the qualities and memorable valour of his troops, than of any adequate support from home. But that is not the point on which I rest my argument. What I am anxious to impress on your lordships' minds is, that these operations formed a powerful call upon our government to increase its exertions. Our success in these instances, afforded the noble lords opposite another warning, that the period was arrived at which it was necessary to make some great attempt, some noble effort, for the recovery of the liberties of the peninsula. Such must naturally have been the expectation on all hands. It cannot be doubted, that such was the feeling of Spain herself; ministers knew, that from the moment these operations commenced, the enemy would conclude, that it must be the intention of the British general to make every effort to drive them out of Spain, and that, therefore, it was necessary to secure that unity of action, among themselves, which could alone give them a chance of resisting our efforts. Now, the propositions for which I shall contend, upon this part of the question, are shortly these: I mean to endeavour to shew, that in every point in which this campaign has failed, in every point in which it has succeeded, and the fruits of that success have been frustrated, you must trace the failure in the insufficiency of the means afforded the general. I shall shew you, that wherever he has succeeded, his success is attributable to his skill and wonderful genius, and to the great exertions of his troops; that in every

point where the fruits of our victories have been frustrated, they have been frustrated by the insufficiency of means, to follow up, and secure our successes; and, in addition to that, I shall contend, that in every stage of the campaign, a small increase of means, compared with the object to be attained, and the additional pressure to be produced on your resources at home, would have prevented every failure, secured the fruits of every success, and, as far as any reasonable calculation can be made, would have terminated the campaign, by leaving you, instead of France, in the military occupation of Spain; for, it cannot be denied, that the military occupation of that country, is, at the present moment, in the French army.

These are the points to which I shall call your attention. I contend, that it was no ordinary crisis; but one which, if the glorious opportunity had been seized, held out to you the certain prospect of a speedy termination of the war in Spain. All those who originally differed from you as to the policy of the war, and of your interference, looked up to you, at this period, for the utmost exertions which the resources of the country enabled you to make. Understand, my lords, that what I mean to impress upon you is, that ministers had the means of making, and that it would have been true economy to have made, the greatest possible exertions; that they neglected their duty; that, where the campaign has failed, it has failed by the insufficiency of the means afforded to the general who has had the direction of it; that, where it has succeeded, it has succeeded by his skill, and the valour of his troops; that, wherever you have lost the fruits of success, you have lost them by the inadequacy of the means employed to retain them.

I have stated, that the reduction of Ciudad Rodrigo and Badajos, were achieved more by the skill of the general, and the valour of his troops, than by any arrangements or combinations of those at home, on whom rests the responsibility of our military operations. After the reduction of Badajos, what was the conclusion of that great achievement? and what would you have expected should have been the future operations of the army? I have abstained from having any correspondence with my noble relation upon the subject: I know nothing but what the rest of the public know. I have no grounds on which to proceed, but my own judgment, with an ordinary degree of knowledge, but no small share of zeal upon the subject. At the conclusion of the siege of Badajos, what must have been the intention of lord Wellington? In the state in which Soult's army was, lord Wellington felt it was desirable, and was convinced it would have been practicable, had he not been prevented by the state of affairs in the north of Spain, to have made an attack on Seville, to have seized the depôts of the French there, and, in a great degree, to have destroyed the main foundation of the French power in that part of Spain. In the progress of that operation, it might have been expected, that he would have had an opportunity of bringing Soult to action under advantageous circumstances; and, if the result had been fortunate, he might, at the most favourable season, have obtained advantages over the enemy in the south of Spain, and then advanced to the north, to prosecute the war there during the most favourable season, also, for operations in that quarter. I am aware it may be said, that in a general point of view, it might have been more desirable to have carried on his operations in the north of Spain first; but I think we must consider the subject as that illustrious person does, with a view to the advantages immediately before him. Will any one say, that at that period of the season, early in April, it would not have been of the greatest advantage to have struck at the foundation of the French power in the south? Even if his principal plan had been directed to the north, he must have been desirous of pushing his advantages in the south, if he had not been prevented by other circumstances. He was under the necessity of proceeding to the north, in order to meet Marmont, and to protect the fortresses of Ciudad Rodrigo and Almeida. The circumstance which led him to that movement was, that he knew those fortresses were not victualled in such a manner as to be able to resist the force of Marmont, insignificant as it was; for it was actually repulsed by some of the militia, and therefore was a corps, which a small body of British troops would have kept in check. That small force, however, was wanting; and our general failed in what must have been known to have been his object. He failed, because he was under the necessity of moving the whole body of his army, to stop the progress of Marmont; and here I must advert to a peculiar feature of the

whole campaign. Whether our general had to strengthen a corps, or to victual a fortress, he was always compelled to move with his whole army, rushing from where glory awaited him. Is it not evident, that if, at this period of time, which was in April, 1812, there had been in the north a sufficient British force to keep in check the army of Marmont, on the same principle as sir R. Hill had kept in check the army of Soult, the British general would not then have been under the necessity of going with his whole army to the north? What he required was, that the same kind of force which general Hill had opposed to Soult, should have been opposed to Marmont; a small addition of force would have guarded the main point during the whole time required. The object of lord Wellington was limited to destroying the magazines of the French in Seville, and of availing himself of such advantages as might present themselves. Here, then, it is, I first require the application of the principle I have stated; here was a failure arising from insufficiency of means,—a failure, which might have been prevented by a small addition of men and resources; this is no vain fantastical flourish, no attempt to put upon you idle and wild opinions formed by so visionary a man as myself, totally unacquainted with war. Here is a plain direct practical statement, founded upon open and admitted facts and circumstances. This, then, is my position, and I call upon ministers to deny it if they can, that a great and most favourable opportunity had presented itself, of which the government here might, without any great exertion of foresight, have been perfectly aware; and of which they might, without any serious difficulty, have enabled our general to take advantage; that comparatively small means would have sufficed for the purpose; that ministers failed to furnish those means; and that our general was, consequently, prevented from striking a decisive blow, in the month of April, against the French power in the peninsula.

We now come to the next stage; the British general is called to the north, and he is there met by the same insufficiency of means; he had not sufficient for the service he wished to perform. All the ordinary transport of his army was employed in victualling Ciudad Rodrigo. Every operation to be carried on required the whole force of his army; this obliged him first to leave the first steps of his early glory in the south; he was obliged to go to the north,—and when he arrived there, he was incapable of accomplishing his object, because he was unable to procure the ordinary means of transporting his army.

He arrived in Salamanca about the 17th June; but he had scarcely entered into Spain, when he was again encountered by the inefficiency of his means. He found himself, after a very few days, so pressed, that what at first appeared a vigorous movement, and offensive operation, assumed the character of a wise, necessary, and prudent retreat. He found himself opposed by Marmont, who had been joined by Bonnet. It required the greatest exertion to avoid the difficulties which surrounded him, and in addition to his other embarrassments, he had heard nothing of the Sicilian expedition, on whose co-operation he mainly relied. Without such a reliance, it is impossible to conceive that he would have entered Spain. The whole of the arrangements for the sailing of that expedition, were concluded as early as March; but, at the commencement of this systematic retreat, on the 15th July, he had heard nothing of its movements, and he had to encounter not only the army of Marmont, but the army of Joseph. The army of Marmont, 50,000 strong, in his front; the army of Joseph, 15,000 men, ready to fall on his flank and line of communications; the army of Suchet, 22,000 men, also ready, (as far as he knew to the contrary,) to come to the assistance either of Marmont or of Joseph, and no intelligence of the expected force from Sicily. He commenced his retreat, not a chance and temporary movement, but a regular system; and he began it as a wise and great general should, with all due precautions for the magazines in his rear, and for the frontier of Portugal. This was no feigned movement, no stratagem to deceive his enemy, but a plain and real retreat, rendered necessary by the overwhelming and increasing pressure of the enemy. The whole of his system was reversed, because the force opposed to him was superior; because he had reason to expect that it would be increased; and because he was uninformed as to the co-operation he expected. Upon this, I have to ask your lordships whether it is possible to suppose, that if the noble lord had had 15,000 more troops, which is putting it very low with regard to the means of the country,

he, who had already done so much under such disadvantages, would not, instead of retreating, have advanced in perfect security, even if he had been doubtful of that co-operation, which he had every reason to expect. But if he had been aided by the co-operation of the Sicilian expedition, then his advance into Spain, so far from being the exclusive act of an enterprizing and high-spirited soldier, would have been the natural proceeding of any general upon earth.

We now come to the consideration of the great skill and genius of the general. On the retreat, an accidental opportunity occurred of attacking the enemy to advantage; his great talent, operating on his good fortune, (if such fortune is not almost to be considered the attendant on the higher orders of talent,) allowed him to strike a noble blow; or, as a noble lord (lord Bathurst) had beautifully expressed it, to convert retreat into victory. But, though his genius went thus far, it was not permitted to go farther. It might convert retreat into victory; but no general, however able and skilful, can convert, at once, a system of retreat into a system of advance. He must change the whole of his system before he can do so; he must entirely alter the disposition of his magazines. I speak, perhaps, ignorantly, but, in the presence of high military authorities, who will correct me. Although the British general could, by his skill and genius, convert retreat into victory, he could not, I again assert, convert a system of retreat into a system of advance, and his career of conquest was instantly checked. Instead of being at liberty to pursue the enemy, till he had totally destroyed him; till he had extirpated those seeds of his future power, which had grown up; instead of that, he was obliged to turn his attention to the corps of Joseph, made efficient by a detachment from the army of Suchet, in Catalonia, after Suchet knew of the arrival of the Sicilian expedition at Minorca.

I do not deny that the appearance of the expedition at Minorca, probably prevented Suchet from moving his whole force. Suchet was certainly not able to send his whole force; that would soon have put the question out of doubt. The British force could not have remained an instant for an encounter with such a mass of strength; it must instantly have retreated into Portugal; but Suchet's detachment did all that was necessary; it enabled Joseph to hang on the flanks of lord Wellington, to deprive him of the entire fruits of his victory, and to perplex his ultimate movements. The noble lords opposite know, for it is stated in lord Wellington's dispatch, that he would have retreated without attempting any offensive operation, if it had not been for the extreme imprudence of Marmont, and his inexplicable hurry for an engagement of some kind or other. If he had been wise, Marmont would have made a bridge of gold for the retreating force; his arrogance fought the battle, which suspended the retreat, and which produced that glorious victory of which the army and the nation have so good reason to be proud.

Will the noble lords, however, venture to assert, that, if Marmont had not acted in this manner, lord Wellington would not have retreated? Do they not know, that if the corps of Joseph had reinforced Marmont's army, previously to the battle of Salamanca, it would have so strengthened his force, that lord Wellington could not have attempted to have attacked him, even had Marmont committed the error of which he was guilty? Therefore, so far as the means of conducting the campaign were supplied by ministers, here again was a complete failure. We know, in the most distinct manner, that the victory of Salamanca was a victory to be ascribed to the accidental error of the enemy, and that error acted upon, and taken advantage of, by the wonderful genius of our general, in a way which justifies me in saying, that there are not many generals of whom we read, in ancient or modern history, who could have availed themselves of the opportunity with that promptitude and energy which were displayed by lord Wellington. Here I would also ask, if the Sicilian expedition had consisted of a greater force, and had arrived in due season, and if lord Wellington's army had been stronger in numbers, what do you think would have been the permanent result of the victory of Salamanca? Its failure was owing to the inefficiency of the means you afforded, and its success proves the fact I am stating; it proves more—it proves, that a small addition to your means would have enabled your general to have reaped the permanent fruits of his success.

Some reflections have, indeed, been cast on the policy of lord Wellington's entering Madrid at all. There is no question, that the occupation of Madrid,

as a mere political operation, at a time when it was doubtful whether we could retain it, might have been a measure, the propriety of which was questionable; but it was a matter of absolute necessity, arising from our situation, and the means which we possessed. The British general was under the necessity of proceeding to check Joseph's army, before he could pursue the advantages of his own victory; and it was a material point, in a military view, to prevent the enemy from continuing to occupy Madrid, with its magazines, depôts, and the fortifications at the Retiro. If our general, when he arrived at Madrid, had possessed the means of keeping in check the army of Marmont, and preventing the possibility of its advance, he would have had the means of continuing the pursuit of Joseph, and of uniting with the English army at Alicant; he would have been in a situation which would have enabled him to have attempted any thing; but having no means of following Joseph, and being conscious of the inefficiency of his power to carry on operations in the south and north of Spain at the same time, he was obliged to return again to the north, and bring his whole force to bear on the remains of Marmont's army, which, during his absence at Madrid, had collected again, and was in a condition to demand his immediate attention. The history of this campaign may, therefore, be given in one word. It was "all flying from deficiency."

As to the siege of Burgos, I can only speak from the public knowledge. But if the success of the operation was important, and its failure through want of means, whose was the fault? Undoubtedly, that fault was at home. Here, then, is good ground for enquiry.

The words of my noble relation, in his official dispatch, relative to his retreat from Burgos, have, indeed, been adduced, to prove, that the success of the campaign would have been decided by the capture of that fortress. This declaration was of a piece with the candour of the noble general's mind. But still I must believe, that lord Wellington spoke without knowing the actual state of the French force immediately subsequent to the siege. It is evident, indeed, that he had no accurate knowledge of its amount until he saw it several days afterwards on his retreat. Doubtless, if a strong reinforcement of British troops had arrived to him, after the capture of such a fortress, the capture might have been, as he stated it, of great importance to the result of the campaign; but without such reinforcement, it could not be so.

But your lordships have been told already, from the opposite side, that it was the object of the campaign to compel the French to evacuate the south of Spain;—and that this object has been successful. The noble lord at the head of the war department has said, that the speedy execution of this object deserved to be among the first motives of the campaign; that the French in the central and northern provinces of Spain governed only by terror, and were obliged to have posts from village to village; but that in the Andalusias, custom had begun to operate, and reconcile the people to the influence of their invaders. This might be just and true; but I ask, whether it entered into the objects of ministers, that, in forcing the French to evacuate the south of Spain, we should be forced to evacuate the entire of Spain? We compel the enemy to leave a part; he compels us to leave the whole;—and this is to be called success. How was this to be strained into advantage in the political, military, or, as the French call it, the moral impression? As to the moral impression, of all others the most important, what was to be conceived more terrifying to the people,—more subversive of the popular respect,—more exhausting to the popular spirit,—than to see us thus alternately advancing and retreating, with so little space between, that it was almost one movement. To-day, the people of Spain see us driving the French before us,—to morrow, the French driving us before them; and all their demonstrations of joy and natural gratitude, and patriotic pride, visited by bitter and angry vengeance. I fear that this system will engender, (if it has not already engendered,) a feeling of all others the most to be dreaded in such a cause, and in a quarter of all others to be kept the most untouched,—the noble and ardent mind of the lower orders of Spain. This system of bustling beginnings and feeble results, of lofty promises and sad disappointments, must of all others harass and alienate the public heart. Must not the Spaniards say, What have you brought to us but increased sufferings? We felt the yoke of France; we felt its grievousness; but patience helped us to make it lighter; we were accustomed to it; we endured it: but then you came, and we were relieved

from it for a moment, only to find the pressure come upon us with a keener and more crushing violence. I fear, I strongly fear, from what I have known, and what I have heard, that our folly has gone far to depress a living and vigorous spirit, whose life and vigour may be of the highest import, not merely to Spain, not merely to England, but to Europe,—to the whole world.

Was it necessary for the evacuation of the south of Spain, that the British army should advance to Burgos? That evacuation had already been effected; and it must have been with a view to ulterior operations, and an expectation of ulterior assistance in carrying on those operations, that our army advanced to Burgos. The object, however, which we had in view at Burgos, failed, and our army was again compelled to retreat. Why did lord Wellington retire from Burgos? Was it for the purpose of causing the evacuation of the south of Spain? He retired, because he was in apprehension for the safety of sir Rowland Hill's corps. Lord Wellington was compelled to retreat, in the first instance, for the purpose of securing the safety of that corps. But the force opposed to him in his front, (then under general Souham, and which he had beaten at Salamanca,) had become so much superior to his own army, that it would not have been prudent to have engaged it; and when to this force was added the French army, which had come unmolested from the south, then that event occurred, which may be considered as the result of your plan of campaign. The whole of the allied force was under the necessity of retreating. I will not say that the retreat was inglorious; it was in the highest degree glorious to the skill of the general, and honourable to the valour of the troops which he commanded. No person will say, that the result of that retreat, as a mere insulated operation of the war, did not add to the glory of this nation. But with reference to the cause of Spain, to the cause of Europe, and to the character of our army, nothing could be more mischievous and detrimental.

What must be the feelings of the people of Spain, when, after our success, they see the enemy quietly taking up his quarters in the heart of the country, with its richest resources at his mercy; and after retreating, and being defeated, pursuing us across the frontier, and seating himself in the capital? What must be their feeling on the sight which our retreating troops afforded? The disorder, the loss of discipline, the loss of character, on this subject the public are already sufficiently informed. The source of their information is only a new proof of the loftiness and candour of heart of their commander, who looked for no popularity,—stooped to no arts that were inconsistent with the plainness of a great mind, zealous only for the good of his country. The letter of your general distinctly states the disorders which had occurred during the retreat, and the danger which must arise in future operations from their repetition. The difficulties of the movement are, however, to be considered. It is known to all men that have experience of military proceedings, that few movements of rapidity, either in advance or retreat, can be executed without some degree of disorder. A movement in retreat is, of course, more liable to irregularity; but still more, a movement in such a season made disorder more inevitable. But why was the deficiency suffered to exist, that made this perilous movement necessary? Have we not a right to enquire, whether it was owing to a failure in the resources of the country, or to a failure in their management? Why was lord Wellington forced to retreat? The noble lords opposite smile at this question. I see nothing in the subject for jest, but rather for the most serious enquiry;—enquiry where the falling off was to be laid; whether in the country or in its ministers; in the great resources of their heads, or in the narrow, impoverished, and feeble, means of the British empire.

I should be lost to every feeling of honour, and to every sense of duty to the country, if I did not state that the effect of this campaign altogether, has been, not to approximate you towards your object, but to remove you from it; and that this calamity has arisen from the insufficiency of those means, which by a small addition might have been rendered effective. I maintain that the object we had in view, (the only honest object, the only great object which we could pursue, or hope to obtain by our operations in Spain,) was the expulsion of the French, or, at least, a considerable diminution of their power, with a view to the freedom of the people, and the independence of the Spanish monarchy. This was certainly the main object, which we ought to have contemplated; the ultimate object of the British na-

tion was certainly, by the deliverance of the peninsula of Spain, to lay a solid foundation for the establishment of a permanent and honourable peace.

And this leads to the next part of the question. It is merely practical; it is the actual force, which, in my judgment, would have averted all the misfortunes which I have described to you. I shall state it as low as 15,000 men;—12,000 infantry and 3,000 cavalry—with, of course, the ordinary recruiting necessary for the supply of casualties, which I consider as a matter of regimental, rather than of ministerial arrangement.

In entering into this detail, I am aware that I expose myself to a hazard by no means necessary for the success of my argument. But I am desirous to shew your lordships, that all that has turned the tide against us, is not weakness of force, but its mis-management; not a defect in the resources of the country, but a defect in the judgment and discretion of those by whom they were administered. I shall shew also, that ministers had at their command means every way adequate to the object, if they had thought fit to apply them. The question is one of policy, and of the free exercise of the discretionary power of ministers. The great object was to have force sufficient to keep the French detached corps in check. If the British general could have left a force in the north sufficient to have kept Marmont's army in play, or a force to have secured his flanks from Joseph's troops, his further movements would have been in the fulfilment of his original plan; and the success of the Sicilian expedition would have brought an important accession, or taken off a formidable opponent. It was not to be doubted, that that expedition had kept Suchet from detaching the whole of his force; but then it had not kept him from detaching all that was necessary to answer his purpose. Was there not, then, the strongest evidence of mismanagement?

At various periods, from January, 1812, the fate of the campaign might have been materially affected by the supply of such troops as might easily have been conveyed to the peninsula. But not the smallest effort of any kind was made, during any period in which it could be of the smallest use.

Now, I wish to enquire into two points particularly:—first, was there a force in the country that could be sent to lord Wellington's assistance, to the amount already stated?—Secondly, were there financial means—were there any insurmountable impediments to the supply of specie? I think I have proved to your lordships, that the crisis was one which required the strongest and most animated efforts of the country;—that our whole strength should have been displayed—that nothing should have been neglected which would enable us to bring our whole power to the exigencies of the moment. I have no doubt that others are of the same opinion; yet I cannot but fear, that the noble lord opposite (lord Liverpool) is scarcely a convert yet. I remember his fear of great exertion.—I remember his abhorrence of exhausting our force by mighty and general efforts. But have not his eyes been opened yet? Is he to be still an admirer of husbanding and hiding the national strength? Has he not seen Russia, and seen there the result of a vigorous and bold application of the whole power of a great people? I protest, my lords, that Russia has done no more in this war than I expected. Whenever she turned to the war, with the mighty impulse of her mind, I was prepared for the event; for we knew her resources—her faculties for the struggle—and I could not be surprised at the ruin of her adversary. The character of that adversary would even lead me to expect what has happened. I remember when I was secretary of state, I was asked in this House a question as to the assassination of Buonaparté, and whether I had sanctioned a publication commending that measure? I certainly would never wish for the personal destruction of that person, by means so revolting to every honourable mind; but I recollect to have observed, even then, that independently of its strong hostility to every Christian and moral principle, the assassination of Buonaparté might be among the most impolitic things that could be done; that as he was probably the only man in the world who could have raised his power to such a height, so that he was probably the only man who could bring it into such imminent danger—his eagerness for power was so inordinate—his jealousy of independence so fierce—his keenness of appetite so feverish in all that touched his ambition, even in the most trifling things—that he must plunge into desperate difficulties. He was of an order of minds, that by nature, make for themselves great reverses. But in all of the question that touches upon England, I cannot doubt, I

never doubted, that the most decided stretch of our means was due, not merely as a duty to Russia, but was, in every view of it, the most discreetly economical, the most consistently prudent, the most plainly wise, as well as the most grand, the most magnificent, the most worthy of the cause and of the name of England. But I am now to be told that all this is an error; that no effort is to be made; that there is to be no stretch of the finances; and that all is to glide on in the smoothness and sleepiness of peace. And do I hear this still, when such a struggle is on foot—when such a day is opening before us; when, for the first time, we are allowed to stand forth and meet our enemy in the fair field? Then to be told, that to awake the country to this noble effort is a flourish which is to leave her more exhausted:—then to see no effort beyond the effort of the most tranquil times—the operations of war starved, the liberality of peace—(no, I will not use the word, it is an unfit one)—the profusion of peace lavished on objects without national importance; and all this at the moment when we have the chance of glorious security. What is this system of protracted warfare, which, I cannot say, never begins, but which is never to end; which is to linger on at its ease from year to year, full of all the helpless indolence of peace without its enjoyments, and of all the miseries of war without its successes? And are your lordships to be told, that activity and ardour, and the quick application of means, and the manly and masculine effort of the strength of this mighty empire, are to be called a flourish, a mere idle swelling of our resources for this year, to be followed by depression and decay for all that follow?

Did not the noble lord opposite know the temper of Russia, and the vast extent, foresight, and wisdom of the arrangements, made to meet the danger with which he was threatened? Did he anticipate the events which have taken place in Russia? He could not, when he told us, that to put forth the whole of our strength in the late campaign, would have the effect of exposing us to the danger of not having sufficient means for the next campaign, and would, therefore, be an imprudent measure. I state, without the apprehension of being contradicted, that any exertion you could have made in the course of the last campaign, however great, would not only have been light in comparison with the object; but according to all human calculation, would have promised a certainty of carrying you to that point, which would have diminished the necessity of your future exertions. If you had driven the French to the Ebro, you would ultimately have driven them out of Spain; you would have destroyed the foundation of that power, which had taken root in the temper and disposition of the people of Spain; your efforts in any succeeding campaign would have been confined; you would have brought the contest to a point; you would have proved yourselves magnanimous in policy;—magnanimous in justice;—you would have preserved your faith, and redeemed your pledge given to Spain, Russia, and the world; you would have acted as justly as discreetly; and your system would have been considered as wise, and as grand in its conception, as the genius of your general, and the valour of your army would have rendered it prompt and decisive in its execution. Therefore, I say, that what the noble lords were called upon to do, was to have made the utmost exertions in their power.

They were not only called upon to do what I have stated, but they were bound to have done so upon their own principles. Here was the very case they had foretold; what, said they, will your lordships hear of husbanding your resources when you are contending for the last stake? Will you reserve your resources for your defence at home, when there is no peril threatening you, not even the most visionary danger? Will you, under such circumstances, keep your army at home? Will you not rather strain your finances? Will you not press the war abroad? Will you not enter into all the expences necessary for conducting it with vigour? Will you not act with a liberality in the provision you make for insuring success, almost unexampled? Such, upon former occasions, was the system, we were informed by the noble lords, which we ought to adopt; I have always supported them, when they have told us, that the way to contend for the security of England, was to use the force of England abroad. At length the great, the wished-for opportunity presented itself. It was desirable that the contest with the enemy should be decided, by coming front to front, hand to hand, and foot to foot. Upon their own principle, then, a principle in which they ought to glory, a principle

upon which they challenged the support of the country, they were bound to have made a great, magnanimous, and irresistible effort, and not have parsimoniously withheld the resources of the country, under the pretence of reserving them for another campaign. They ought not to have acted as if they meant to carry on a system of warfare without end; never to terminate,—ever going on,—without arriving at any one point of success or glory;—without any advantage being achieved, to which the least character of stability can attach, and without even victory affording an assurance, that its results may not be as fatal as defeat.

My lords, I feel warmly on this part of the subject, because I am sensible that greater exertions might have been made; that they ought to have been made; and that if they had been made, the result would have been most advantageous to the country. I state it as my decided opinion, that the addition to lord Wellington's army of an efficient corps of 12,000 infantry and 3,000 cavalry, exclusive of recruits and drafts to the regiments already in the peninsula, (which I have already stated to be of the nature of regimental arrangement,) and exclusive, also, of artillery, waggon-train, and drivers, (of which the proportion to every army is regulated by fixed principles,) would have produced success in every stage of our operations in the peninsula, even if the expedition from Sicily had not arrived, or had not been expected; but, with due arrangement as to that expedition, it would have rendered success certain. I may further state, that even if a proportion of the troops actually sent, and more particularly, if the whole of the necessary reinforcements had reached the peninsula, either previous or subsequent to the capture of Badajoz in April, the result would have been still more decisive.

I wish, therefore, to state, from the documents on your table, what disposable force was in the hands of his Majesty's ministers.

In the first place, there were at home, (exclusive of veteran and garrison battalions, and foreign and colonial corps), 16 regiments of British cavalry, and 45 battalions of British infantry, amounting in number to 53,000 men. In addition to these, you had your militia, amounting to 77,159, maintained at an annual expence of 3,099,965*l.*; your local militia 202,983, the cost of which was 720,078*l.*; and your volunteer and yeomanry force 68,000 men, supported at a charge of 531,109*l.* Here then was a force for home defence, (not including the volunteers and yeomanry of Ireland, nor marines and royal artillery) of 348,142 men, maintained at an annual expence of 4,351,212*l.* You had also, within your reach, a force of 6,000 men at Malta; the garrison of Gibraltar, amounting to 4,000 or 5,000 men; and the whole of the force in Sicily. I ask you then, this plain question, to which I desire an explicit answer. What is the reason, that the reinforcement of 15,000 men in corps of cavalry and infantry, which would have been sufficient for every purpose, was not dispatched to the peninsula at an early period of 1812, if you had any regular system commensurate with the magnitude of the occasion? Fifteen thousand men might easily have been supplied from 53,000 regular troops at home, at a moment, when you had in this country so large a force of regular and local militia and volunteers; when the force of the enemy was engaged in operations of such a description, as to preclude every idea of danger from that quarter; and when there were no circumstances whatever which called for military exertions out of Spain. I refer to America, and I ask, whether that part of the world was a subject of attention, or whether, at the period to which I have adverted, it ever entered into the contemplation of the noble lords, that it could be necessary to reserve a force for military operations against America? With regard to the disturbed districts in this country, am I misinformed, when I state, that the disturbed districts were principally occupied by the regular militia; and that the regular militia, supported by some regular cavalry, by the troops at the depôts of regular infantry, by the local militia of the districts, and by the authority of the civil power, had so completely restored the tranquillity of the midland and northern districts, that no deduction was required for this object, from the large regular force of 53,000 men, which were at home at the commencement of the year 1812.

I am totally unable, therefore, to comprehend, why the noble lords might not, at an early period of the year, have supplied the force, which, I contend, would have been sufficient, if they had thought fit to have done so; but I am the more surprised at their conduct, when I consider what force actually was sent. I have

stated, that 15,000 sent to Spain, at an early period of the year 1812, would have been sufficient effectually to have ensured the success of the campaign. It may be desirable to see what force was sent, and how small is my difference with the noble lord at the head of the military department. The difference will not be much more than 5,000 men, and the discussion will, therefore, refer to the season of sending them out.

The actual number of men sent out to the peninsula in 1812, was,

Drafts, and recruits of cavalry and infantry, to the corps already in Spain..................	9,407
Artillery and artificers, waggon train, and drivers..............	1,418
Corps of cavalry and infantry; seven corps of cavalry, and nine battalions of infantry, including the 82d from Gibraltar, and the 59th, sent to Cadiz...	10,545
Total, sent out in 1812...	21,370

Of this number, about 9,500 only joined the army during the campaign; the casualties of which, in killed, wounded, prisoners, and ordinary deaths, were not less than 14,000 men. Of the 9,500 men who joined the army during the campaign, about 7,000 were sent out, between January and July 1812, before the battle of Salamanca; the remainder joined after the battle of Salamanca; the 82d at Madrid, and the guards on the 24th of October, three days after the retreat of our army from Burgos. The 91st regiment joined on the 14th December, and the remaining reinforcements were disembarking at Lisbon, on the 25th November, a few days after the return of the British army to its cantonments in Portugal.

Now, I wish to know, whether I may not take the corps of cavalry and infantry, amounting to more than 10,000 men, as the first article of my demand of 15,000 additional troops, and whether I may not inquire why, instead of sending this force at an early period, when it might have been applicable, ministers delayed sending it to a period, when it could not possibly arrive till after the battle of Salamanca had been fought and gained? When, on a former occasion, I asked the noble lord opposite to me, why he did not send his reinforcements at a period when they might have had some effect in the contest between Russia and France, he answered, that lord Wellington had desired, that no reinforcements should be sent to him, except between Christmas and March. Although I give the noble lord full credit for the ingenuousness of his answer, I cannot conceive that this reason is a solid ground of action. Will you lay it down as a rule, that no victory must be gained—that no loss must be sustained, until the favourable season of the year revolves again. The best season for the transport of troops, is certainly between Christmas and March; but will you establish it as a principle, that you are never to fight in aid of your allies—that you are never to assist them with your forces, unless you can transport those forces between Christmas and March? Surely that can never be admitted as a principle, upon which a war minister is justified in acting.

But if you look further into the principle, you will find it to be a most wild and inconsistent one. Your lordships are all aware what an object of eagerness and anxiety it must be on the part of those at the head of the military department of the country, to keep the troops destined for foreign service, in a state of the utmost efficiency, at the period when their services may be required; and upon that principle, the rule is applied to colonies, —the object always is, to provide, that troops destined for the service of colonies at a distance, shall not arrive in the bad season; but, can we apply that principle to extraordinary circumstances? Suppose any of our West Indian colonies were to be in immediate danger of invasion, and should require reinforcements to be sent out for their protection, should we be justified in not sending them out as early as possible? Are we to send them out only between Christmas and Lady-day, because, in general, that might be the most proper season? But I wish upon that point to ask the noble lords, if they have observed their own rule? They say, that we are never to reinforce our army abroad, but between Christmas and March, and that whatever may be the circumstances which require immediate assistance, it would be a violation of all principle to attempt to reinforce an army at any other period. It would have been an insult, an outrage, upon lord Wellington, to have reinforced him at any time, excepting between Christmas and Lady-day. I desire then to know, at what season of

the year the troops, after the battle of Salamanca, were dispatched to join the army? The noble lord (lord Bathurst) told us, that, on the very night that the glorious intelligence of that victory arrived, he did send—What?—Reinforcements?—Two brigades?—Two regiments?—No:—Two messengers—"Duo Fulmina Belli!!" I expected to have heard, that the noble lord would have dispatched such corps as he could have selected, with a view to their arriving in time; but he thinks differently, and dispatches his two messengers. He complains, that I insist, that lord Wellington ought to have been reinforced at an undue season; and yet, when does he dispatch his troops?—Doubtless, between Christmas and March, the only healthy season—No; just at the equinox, embarking them at a time when they were liable to suffer, and did suffer, more while lying at anchor, than corps usually suffer, even in a storm. He contrives that they shall arrive at Lisbon in November, the most unfavourable period of the year, and when the approach to the army, from the state of the roads, is most difficult. He professes to act upon a rule, as to the season for sending out reinforcements; (a rule, the object of which, I presume, is the health and convenience of the troops;) and he allows them to depart from England at the most unfavourable season, and to arrive at Portugal when it is impossible for them to be of any use;—the object of their service being prompt, he sends them out after long procrastination and delay. The first branch of force sent out, did not join the army till October, after lord Wellington was on his retreat;—the other landed at Corunna, and by the operation of the French army fell back, and did not join till December;—the third landed at Corunna, re-imbarked, and did not arrive at Lisbon till November. The life guards were embarked at a most unfavourable season; and, after suffering dreadfully at Portsmouth, they arrived at Lisbon with a great deal more horse-hair, than horses.

On the first day of the session, I stated, that these troops could not possibly arrive in time. This observation was received with astonishment; but the fact now is, that these reinforcements were embarked under circumstances the most unfavourable, and arrived under circumstances the most unfavourable, with this additional fact, that it was impossible they could join the army, so as to be at all useful until the next campaign. I wish to know, then, what reason there was for not sending this portion of your force out at an earlier period? Why send them at a time, when they could not, by possibility, be of any service?—If 10,000 men could be sent, I desire to learn why 5,000 more could not have been dispatched, and all at a proper season, so as to have given lord Wellington, at an early period, the benefit of the whole 15,000? It was a matter of vital importance; every man of common sense must have seen it; and I will prove to the Committee, that, in the opinion of some of the most experienced officers, such an addition would have completely secured the objects of the campaign.

Here, then, was a glorious opportunity lost for ever! The immense resources and military strength of the country are either misapplied, or not employed at a time, when a trifling effort (compared with the extent of those resources) would have secured the liberties of Europe. These resources have grown out of what I must say, was a wise alarm, upon the subject of invasion.—It did great credit to those with whom such extraordinary resources originated, as the state of our regular army reflects the greatest honour on the illustrious person, (the duke of York) whom I rejoice to see in his place. I hope that he will allow me to add, to the expression of my affectionate attachment, my humble but sincere opinion, that his indefatigable exertions have brought our permanent military system to a degree of military perfection, hitherto unknown. Let me ask, however, was it intended never to draw from a fund, that was so well calculated to afford supplies? Why was our permanent military establishment so augmented? To resist an enemy who menaced our coasts: but where is that enemy now? Is there any cause for alarm? Or are we to be terrified at the recollection of dangers, to which we were once exposed? Why were these troops detained inactive at home? And why did ministers curb that military ardour, which made them pant to join their comrades on the glorious plains of the peninsula?

I am ashamed, my lords, to urge this argument, when I consider how small a portion of your force was required. If the noble lords could not have spared any supplies out of the ordinary resources, could they not have afforded some out of the extraordinary resources of the empire?

Could they not have employed in attack, a part of this armour originally intended for defence, instead of allowing it to rust and corrode in useless idleness? I desire to know, why, in such a crisis as I have pointed out, when every effort was necessary, and when every effort would have been attended with success, the 400,000*l.* expended in calling out the local militia, was not devoted to assist the struggle in Spain and Portugal? The noble earl (Liverpool,) smiles at the mention of what he thinks a paltry sum. I allow it; but let him recollect that the only difference between us, is almost a dispute about pence; it is, whether 15,000 men would have been more usefully employed at home or abroad, when, in the latter case, the comparatively trifling sum of 100,000*l.* added to the charge of calling out the local militia, would have covered the whole expence. I do not mean to condemn the measure of calling out the local militia; but I say that it might, with much less inconvenience, have been postponed until our army was reinforced. Some persons have drawn melancholy pictures of the state of the nation: I cannot concur with them; on the contrary, I firmly believe, from the improvement in our system, and particularly in that part which relates to recruiting, that, certainly, in June, 1812, and I might almost say in January, 1813, we were in a situation nearly as advantageous for prosecuting the war, as at the same period in the last year. In the success of the recruiting service, another resource was offered, which was not embraced, and the question literally comes to a matter of discretion, whether the men so raised could be more useful at home than abroad.—Ministers say, at home—I say abroad. They think that it was more important that the local militia should be trained for 14 days, than that the peninsula should be delivered from the enemy.

Having thus stated the general outline of my opinion regarding supplies of men, I now proceed to consider the conduct of ministers, with respect to supplies of money; and in the commencement I would observe, that the whole difference between us is no more than 500,000*l.* the difference between maintaining 15,000 men in England, and in Portugal. When on a former occasion ministers were accused of injudicious parsimony, it was triumphantly answered, have we not expended eleven millions in the course of as many months? This is not a just or a fair way of stating the question: the noble lord cannot mean to estimate the expences of our co-operation at so high a scale. Does he mean to assert, that if the war in the peninsula had never been commenced, the whole of this sum would have been saved to the nation? I will put this question to him; will he assure the House, that if we withheld our assistance from the peninsula; or if, unfortunately, we were driven from it, no other employment would be found abroad for those troops now under lord Wellington? Let me ask, are we quite sure that the true reason why no greater exertions have been made in Portugal, is not, that there has been some doubt, some difficulty, some hankering after other schemes? Have there been no ambiguous hints thrown out of greater advantages to be derived from the employment of the force now detained at home, in other quarters than those, which I would recommend? Will the noble lord state to me, that, consistently with his principles, (and no man throughout life has been more consistent,) supposing the war in the peninsula terminated by any other means than an honourable and secure peace, he could recommend the reduction of a single man of our military establishment? Certainly not; and the only question between us, (as I have before said,) is the expence of maintaining an additional force abroad.

In the first place, do ministers pretend to assert, that the country could not bear this additional charge of five, six, or ten hundred thousand pounds? Let them, if they please, take it at two millions; would not the people of England, if it were necessary, submit to many privations, rather than lose this important moment, this glorious opportunity? I know that my countrymen would willingly submit to this additional burthen, from the joy with which they would view the accomplishment of their favourite project. In the next place, let me inquire, what expences we have really incurred on other subjects; because when the noble lord talks of the impracticability of devoting so small a sum to so great a purpose, it is right that we should know in what way our finances have been employed; to what more valuable designs has the discretion of government applied our pecuniary resources, than to the salvation of two mighty nations.

It has been to me a matter of curiosity, and some entertainment, to examine into

some of the indispensable services—services of uncontrolable necessity, as they are termed, which for an instant could not be foregone or delayed. For this purpose, I have looked into the barrack, ordnance, navy, and army estimates, and I have selected a few articles, that the House may judge whether I am very unreasonable in questioning the sagacity and discretion of his Majesty's government. I find that they have called for the expenditure of 125,667*l.* for new barracks in Ireland. Here let me notice a most extraordinary, but doubtless accidental coincidence between the amount of the demand for this purpose, made in the present and in the last year, since the identical sum is required for the identical purpose, in the year 1813, that was required in 1812. For new barracks in England 44,000*l.* have been voted; and for improvements in the naval yards 110,000*l.* On the breakwater at Plymouth 80,000*l.* have been expended. I do not mean to say, that this, and a thousand other break-waters are not necessary; but the question is, whether they are necessary at this moment: whether, in fact, it is more important that Plymouth harbour should be improved, than that our army should be reinforced? At Woolwich 60,000*l.* has been laid out upon new buildings, new wharfs, and a chemical lecture room, and then follows what, in the present state of the country, must be considered a most extraordinary charge—"for Martello towers on the eastern coast, 57,000*l.*" Doubtless the immediate exigency of these erections can be proved. Are ministers afraid of an invasion? No. What then is the danger? I suppose that these Martello towers are raised for the purpose of repelling the angry ghost of the late Danish fleet thirsting for vengeance. The next article is for fortifications in Leith harbour 13,000*l.* and for new works on the western heights of Dover the like sum. There is another sum of 50,806*l.* for new fortifications at Cork and Bantry Bay. These, I suppose, are expences of immediate necessity, as well as 13,000*l.* for a new mint, for which 87,000*l.* had been previously voted in former years. Surely ministers might have spared this last charge—"this was the unkindest act of all." Was it necessary thus cruelly to remind the people of England of their destitution of specie, or was it thought right to build a new mint, to prepare for a new coinage whenever it may please Providence to send us bullion? No man can approve, more than myself, of the military college at Sandhurst; but was it absolutely necessary that 125,000*l.* should be instantly expended upon it? Could not this grant have been delayed for a single year? It is true, that this seminary for young soldiers is extremely useful; but I cannot help thinking, that if such is to be the conduct of government, destitute of wisdom, prudence, activity, and vigour, a school for young statesmen will be much more requisite. Suppose a proposition made for a plan to favour the growth of young statesmen at Westminster: and that for that object, the salaries of our present active, vigorous, and experienced statesmen were to be curtailed: I might approve of such a plan; but I should hardly think it right that its execution ought to interfere with, or abridge the receipts of the present ministers. This is my principle: the army itself ought not to be crippled in what is essential to its usefulness, by sums voted to maintain youthful establishments.

When you add up all these items, you will find that they amount to upwards of 700,000*l.*; to which, if you add 400,000*l.* the charge of drawing out the local militia, I may ask you, without entering into other particulars, for I do not profess to have gone minutely into them, whether you might not, (and I will venture to assert, that you might have made,) such alterations in your system of expenditure last year, as would have afforded you ample funds in money, for insuring the success of the campaign in Spain?

But there is another point to which I must refer, which is the difficulty of procuring specie. This was stated, on a former occasion, as an additional reason why the army was not reinforced, and I shall examine, first, what were your means of obtaining specie; and secondly, how those means were employed.

Here again, I desire to make the same observation that I have made before;—the noble lords have been under no overruling necessity with regard to the mode of obtaining specie. The question is not one of practicability, but of policy. I know what means they had of procuring specie from Spanish America.—I am aware that the situation of that country has diminished our means in this respect; but diminished as they are, they are not extinguished; and they would have afforded a large supply, if those who had

the management of the service had not thought fit to go to the market, not offering the proper price, but putting the value of the article on a lower scale than other agents were authorized to adopt. The question then, is a question of policy. If ministers thought fit to go to the Spanish American market and not offer the market price, they cannot complain of famine—they carried famine with them;—there was no famine, but what they created. They offered terms which were below the market price; it, therefore, becomes a question of policy and discretion. I will prove, that the price at which you could have obtained dollars in America, and have brought them to the peninsula, at the same time having an abundant supply, would have been at a much cheaper rate than has been since paid for them by your agents in the peninsula. I assert that fact positively, and I am ready to prove it; so that you see what was the circumstance which threw this resource out of your hands.

Other means of procuring specie ought, however, to have been resorted to; the importation of it into the peninsula ought to have been encouraged instead of discouraged. The commercial measures adopted last year, not only kept bullion out of our own country, but forced it into the hands of the enemy. It is known that the French army in the peninsula is paid in specie; it may appear a little extraordinary, but it is capable of demonstration, that while ministers complained that there was not in this country bullion sufficient to pay our own army, the coin of this realm, the bullion of England, by means of the licence trade, was actually employed to pay the French forces operating against us in the peninsula. The French army was paid with English gold. That our coin was exported to the continent is beyond contradiction, and that it was thence transmitted to Spain, is almost as little disputable. I have said, that this effect was produced by the licence trade: let us look at the fact. The ship Sophia, of 106 tons burden, arrived in a British port from France, with 231 bales of silk by licence dated 12th May, 1812,—this was what she brought; mark what she took away; 2,000 ounces of gold, 35,000 ounces of silver, beside a vast quantity of foreign coin. It is true, I selected this case from others, because it was the most striking; but many other instances might be found. Thus then, we are now without bullion in the country, because the efflux of it has been encouraged by the mistaken system of policy that has been pursued. It may be said, that commercial advantages resulted from it? I doubt the fact, notwithstanding the reports and opinions in favour of the licencing system; but suppose I admit this assertion, for the sake of argument, is it meant to be contended for a single moment, that these commercial advantages are to be put in competition with the inconceivable, incalculable benefits even commercially, that might have resulted from the deliverance of Spain and Portugal? If any man doubt the fact of English bullion being received into France, let him read the French *exposé*, in which the French minister states the amount of the specie drawn into the coffers of his master principally from England. Has not this circumstance contributed considerably to the success of the operations of the enemy in Spain, and to our disadvantage? I am confident, that I have stated enough to afford ample ground for inquiry, and I fear too much to give us hopes of relief, without an entire change of the system hitherto adopted. But this is not, however, the only ground of complaint; for if it be examined further, it will be discovered, that England has furnished her deadly enemy, not only with money, but with various means for carrying on hostilities, such as hides, saltpetre, sheet-copper, sulphur, and other articles.

Of hides there were exported in eight months, 255,541; saltpetre—(by one mercantile house) 1,500 bags, equal to 300,000lb. wt.; copper—417 tons, enough for 15 sail of the line; sulphur, 247 tons.

It will be answered, I dare say, that measures have been taken to prevent a recurrence of these evils: I reply, why were they not resorted to before? The medicine is useless when once the patient is dead. To recur, however, to the question of bullion, I beg leave to remark, that whatever the price that government paid for it might have been, the additional sum they were compelled to give, would have been amply compensated by the melioration of our exchanges with the peninsula, because it should not be forgotten, that besides the difficulty of procuring bullion, the depression of the exchange rendered all remittances to Lisbon extremely disadvantageous. With all these difficulties to overcome, it may be imagined by some, as a matter of course, that there was a regular system established for procuring it,

and transmitting it to the various minor departments; that there was a general superintendent appointed to regulate the prices, and the disbursements. What is the fact? There were four or five agents at different places, literally pitted against each other; the consequence was, that the agents of government were contending for the favour of the merchants, instead of the merchants contending for the favour of the agents of government. Such was the system, if system it may be called, where nothing is regular but confusion. It is really curious to see how many absurdities are discovered in the consideration of one question. Upon these agents certain restrictions were imposed as to the price they should be allowed to give for dollars; and it is remarkable, that in proportion as it was important that specie should be procured, the price that the agents were allowed to offer for it was lessened. Where it was but little wanted, he might give a high price for it; but for the supply of lord Wellington, the agent was at the bottom of the scale. Thus at Malta our agent was allowed to give 6*s.* 4*d.* for the dollar; in Sicily 6*s.* 2*d.*; and at Lisbon only 5*s.* 8*d.* I state this as a positive fact; and the result of this competition was such a system of confusion, that, at the time when this most desirable Sicilian expedition was in embryo, an agent from Palermo arrived at Gibraltar, where the exchange is regulated, and bidding higher than the other agents, obtained the preference. There was a sum of 2,000,000 dollars, which lord Wellington was anxious to obtain, for the supply of his army. His agent arrived, and offered 5*s.* 6*d.*; the agent from Cadiz arrived, and offered 5*s.* 8*d.* the agent from Sicily arrived, and offering 6*s.* 2*d.* carried off the 2,000,000 dollars, leaving lord Wellington's army without specie, and without the means of purchasing it, obliging him to issue bonds at an enormous interest, and placing his troops in the situation of starving in the midst of that abundance, of which they could not partake, because they had not the means of paying for it.

I am quite ashamed at having occupied your lordships' attention so long, but it is no light task that I have undertaken. I have endeavoured to bring under your consideration as much of this most important subject as my limited means of information enabled me; and now request that the noble lord, when he rises to answer me, will not shrink from the charges I have made against his military administration; and that, in his reply, he will not resort to evasive generalities, to ambiguous common-place topics, which may be applied to every thing, and cannot prove any thing; but, that he will shew, if it be possible, by a plain practical statement of facts, that troops have been sent out at such times, and to such places, and in such numbers, as to be really serviceable to the great object of the campaign. I, therefore, trust, that he will inform your lordships, what number of troops have been applied to the service of our army in Spain. Whether he has sent out his troops, under such circumstances, in such a manner, at such a season, at such a time, and to such a place, as afforded a reasonable hope, that they would be rendered useful and available for the objects for which they were destined. I hope he will not talk to us of events long since passed; that he will not amuse us as he did on a former occasion, by comparing the exertions under his administration, with the exertions made under the duke of Marlborough. I deprecate all such allusions to former times, to the achievements of former generals, or to the efforts of former administrations. The noble lord, I am sensible, had the means, at an early period of his life, of knowing the events recorded in history. He is well read, and fully informed of the transactions of former times. I well remember, when the noble lord and I, (studying and travelling together) were much struck with a passage from a celebrated author of antiquity, who says, "compare me by my own times—judge of me by my own actions—try me by the events of the day, by what is passing now—but do not bring down the heroes of antiquity as subjects of comparison." Such a standard of comparison might, indeed, be always fallacious. What I have contended, is, that the efforts we have made, have not been equal to the resources of the country; that they have not been such as the magnitude, the infinite importance of the cause demanded, and as the favourableness of the oppportunity particularly called for; that we have not made even a faint approximation to the object of the war—the expulsion of the French from the peninsula—but that the French have been enabled, by our reverses, to consolidate their power in Spain, and to systematise the moral and military subjugation of the country. We ought to have called forth all our resources, and we have

made no extraordinary sacrifice; we ought to have strained every nerve at this momentous crisis, and we have remained little better than idle spectators of the fate of Spain; we have been deterred by petty objections,' by calculations of expence, which are but as the dust in the balance, and have lost, by mismanagement and neglect, the opportunity of obtaining, if not an abundant, yet a sufficient supply of specie for carrying on the war with every advantage and facility. Our ordinary resources were more than sufficient for the attainment of the object we had in view; but, if they were not, your extraordinary resources ought to have been employed. The sacrifice would have been small in comparison with the advantage. I assert, that any inconvenience which you could have sustained, by the utmost stretch of your exertions, was not to be put in competition with the importance of the objects which those exertions would have secured to you. And upon that point which was most peculiarly pressing, I mean the facility of obtaining specie for the service of your army, I contend, that you had the means before you, and that it was entirely owing to mismanagement, that you were unable to obtain abundant supplies of specie.

It has been thrown out, however, that these charges are to be met this night by a general answer. I understand we are to be called upon to suspend the exercise of our judgments, because lord Wellington is satisfied. Be it so; is that a reason why your lordships, why parliament and the country should be satisfied? But if this defence be really brought forward, I shall be at a loss which to admire most, the temerity of the assertion, or the absurdity of the inference.—Lord Wellington satisfied! Is is possible to suppose he can be satisfied, when, having accomplished a victory by the greatest exertions, he finds himself frustrated in his hopes of ultimate success; that he is compelled to retreat from the very army which he has conquered, and to end the campaign where he began it. Can he be satisfied, when, under these circumstances, he finds the discipline, and the character of the British army suffering? Can he be satisfied with the failure of the expedition from Sicily, at the very crisis when he most relied upon, and most required its assistance? Admitting, that he has not expressed any dissatisfaction, all that can be said is, that it is the character of the noble lord not to complain whatever he may suffer; there is no point of view in which his character can be surveyed, that does not exhibit him as a model of patience and perseverance. But say that it could even be proved that he was perfectly satisfied,—would that be a reason sufficient to deter you from entering into enquiry? What grounds has the nation for being satisfied, unless, indeed, it be a just ground of satisfaction, that their general, (in want of the means of doing more,) has done his duty? I know that a conspicuous part of the character of that, illustrious person, is his modest reverence of whatever is connected with the discipline of a soldier. I know that he considers it to be his duty to make the best use of the means entrusted to him without breathing a complaint. That is a part of the duty of a great general;—but is a nation, whose duty it is to judge of the conduct of a campaign, to be satisfied because her general forbears to complain, and because he cheerfully, and without repining, submits to the hard duty imposed upon him. What must we think of those, who, (in possession of an army the most available; of a general high in the confidence of the world, his country, and his army, and conducting the campaign with unbounded ability and success,) have sat themselves down to consider, not how they should endeavour to unfetter him, and give him the greatest means of exertion, but with how small a portion of the resources of a great empire, he would be contented to stand between them and the character of the country.

I cannot, my lords, consider this as a reason why your lordships and the country ought to be satisfied. I stand before your lordships to assert the vigour of the British empire, to maintain the strength, and to uphold the magnitude of our means. The noble lords stand before you to prove the resources of their own minds. I contend, that enquiry has become necessary, though solely for the purpose of ascertaining from what causes, and by what neglect, the system adopted with respect to the prosecution of the war in the peninsula has proved week and defective. We find in the failure and discomfiture of our inveterate enemy a strong argument in favour of this enquiry. For what has been the result of the triumphs of our ally, and of the defeats of the enemy? The vast armies which he marshalled and led with all the proud anticipation of vic-

tory, and the full confidence of success, have perished. What has enabled the enemy to shew himself upon his usurped throne? What is it that has enabled him once more, like a wounded dragon, "to rear his baneful crest," to bid defiance to the continent, to boast among his enemies, that England is not equal to the contest in which she is engaged? What, though he suffered in Russia? He refers his disasters, and those of his army, to causes which he could not controul; but he tells France and Europe, that where he met his great antagonist front to front, he compelled him to yield; and that France still retains the military occupation of Spain.

His Majesty's ministers have declared that our resources could go no farther—that our means were exhausted—that we have done all that we could do—and yet that all was insufficient? It is impossible that you can admit, that England is so reduced—so worn out—so exhausted, as to be unable to carry on the war, with that proud and conscious sense of the strength and energy which she must and does possess. Although she has been foiled in the expected accomplishment of her wishes and object,—although she has not attained that exalted station in the scale of national glory, to which she had a right to aspire, were her native means and resources but wisely and providentially applied,—I feel, and I trust your lordships will feel with me, that her vigour and energies are competent to meet greater trials, and surmount difficulties still more serious and perplexing. I am, therefore, my lords, justified in thinking that you will not, by your vote this night, sanction, without previous examination, a defence which is founded on the weakness and inadequacy of the country. I cannot conceive any thing that could afford a greater triumph to France; but I trust, that I shall never witness the day when your lordships will afford your great authority to such a course of action, without a full enquiry into the causes, which have produced our failure, and into a comparison between the resources of the country, and the competency of the persons who have directed them.

Under these circumstances, I move, "That a committee be appointed to enquire into the circumstances and result of the last campaign in the peninsula of Spain."

Earl *Bathurst* rose to make those observations which a sense of duty directed him to make, in answer to the arguments urged at such great length by the noble marquis. He was not willing that any wrong inference should be drawn from a statement which had been made, relative to the opinion of the marquis of Wellington. The noble marquis who had addressed the House, had intimated, that he had held no communication with his noble relative, but that he expressed himself upon the ground of general information. But from the tenour of his arguments, that lord Wellington had reason to be much dissatisfied with the conduct of ministers, and these observations being made when a charge was preferred against ministers, imputing to them gross misconduct, in directing the measures of the late campaign, and the noble marquis who made this accusation, being a relative of the noble general, might lead the public to imagine there was ground to believe that lord Wellington was dissatisfied with the conduct of administration. Indeed, the noble marquis opposite had said that night, that he should not know which to admire most, the temerity of him who asserted, that lord Wellington was not dissatisfied, or the absurdity of the inference to be drawn from that assertion. Now, he was ready to stand forward and make this assertion, that lord Wellington was satisfied with the conduct of administration during the last campaign. This declaration was not sought for by ministers, but it was a voluntary communication made by lord Wellington on that subject.

But this was not the only reason for objecting to the motion before their lordships. It did not follow, that because lord Wellington was satisfied, therefore their lordships should be satisfied; but he stated the fact only with a view to obviate an impression which might otherwise go forth, and to repel the charge of temerity which had been attached to such an assertion. This was not his motive for objecting to inquiry, provided a fair case were made out to convince their lordships of its expediency. In showing that no such case had been, in his opinion, made out, he should not pretend to follow the noble lord through the whole of his arguments and illustrations. There were three systems of continental warfare, which had been proposed, and which had had their different partisans. The first was to concentrate all our forces in the peninsula. The second—

Marquis *Wellesley* rose and explained the systems on which he had enlarged, and recapitulated the heads of his preceding arguments.

Earl *Bathurst* resumed. With deference to the noble marquis, he was not particular about the terms in which the idea had been conveyed, but what had been said resolved itself into this—that the system which had been pursued by the government was fundamentally wrong: the system of the noble lord embraced all the means and resources of the country; the ministers had not pursued any such system, consequently the ministers had not embraced all the means and resources of the country. With respect to the system adopted by his Majesty's ministers, it was accused by the noble marquis of uniting the defects of all the others; it was attacked, not as a system tolerable in itself, and for which he could substitute a much better, but as the worst possible system of continental warfare. He had that day stated distinctly and candidly his own system. It would have been perfected, had lord Wellington been strengthened by a reinforcement of 15,000 men, sent to him early in the last year, and, it had been observed, it would have been easy to have forwarded that number of men at the period required, since they had been sent out in small parties during the later months of the year. When the noble marquis argued, that this number would have been sufficient, he must be supposed to mean, in addition to those already there. To show the correctness of this statement, he would observe, that in his calculation of the last year's reinforcements, the noble marquis had taken into the account two or three regiments previously sent out. He had farther taken it for granted, in order effectually to support his conclusions, that all the troops sent out after the battle of Salamanca, might have been sent out early in the year. But many of these were recruits or detachments, which was the same thing, and it could not well be supposed, that these detachments were as strong, and in as good a state of discipline in January or February as they were several months afterwards. Had the noble lord examined into the fact, he would have found, that the regiments sent out subsequently to the battle of Salamanca were not fit nor sufficiently strong earlier in the year. So much for the correctness of the noble lord's facts.

But the circumstances and the result of the campaign, the noble marquis said, bespoke the deficiency of the means of the noble general. How had this been proved?—By a reference to the glorious proceedings at Ciudad Rodrigo, Badajoz, and Salamanca, and thence coming to the conclusion that the circumstances of the campaign had been so very disastrous, that inquiry was absolutely necessary! Why, then, what was the result of this disastrous campaign?—the early possession of Ciudad Rodrigo, the taking of Badajoz; the raising of the siege of Cadiz; 20,000 French prisoners, 80 pieces of cannon taken from the enemy, and the whole south of Spain rescued from their grasp; and let them add to these exploits, the glories of Salamanca. Was this the campaign that had ended precisely where it had begun?—in which we had been completely foiled?—in which nothing had been done? Had nothing else been effected, could these things have been termed disastrous? Did the noble lord really forget that one great object in view was to create a diversion in favour of other powers? Did he forget that this was most effectual support to the general cause, but more particularly to the cause of Russia, by creating a powerful diversion in her favour? Would it have been nothing if the enemy's army had been able to have gone and joined their countrymen in Russia? Would Russia look at the events of this campaign, as if we had been completely foiled? Surely the instance of Badajoz could not be a proof of the deficiency of our means, as it had been taken after the commencement of the siege much sooner than had been expected. The consequences, however, that might have followed the capture of Badajoz had, it was said, been done away by our being compelled, instead of proceeding to Seville, to fall back on Ciudad Rodrigo. Had there been a small force, said the noble lord, to oppose Marmont, there would have been no occasion for so falling back, and Marmont was so weak that a few regiments would have given the desired check. But he would tell the noble lord that Marmont had happened to be so strong that had the additional 15,000 been there, their efforts must have been unavailing, for such a force would have been quite unequal to that possessed by the enemy. So much for the first instance of the deficiency of our means.

The noble lord next said, that lord

Wellington had advanced to Madrid in pursuance of the instructions of ministers, not in pursuance of his own plan. The contrary, however, was the fact. Lord Wellington had never said that he could not advance to Madrid without further means; he had done it in the completion of his own plans. But, then, it is retorted, that he had formed this plan in consequence of expected reinforcements. If he expected such reinforcements, it was rather extraordinary that he made no declaration of the kind—that he had expressed no want of assistance. Again, it had been said, with as little foundation, that his lordship had advanced into the heart of Spain, calculating upon the aid of the expedition coming from Sicily. The history of that expedition was shortly this, and he would state to their lordships how far lord Wellington could have calculated on any such assistance. Instructions had been sent to lord W. Bentinck, that it would be materially advantageous to Spain if he could spare any portion of his forces from Sicily; but the forwarding of any such assistance was left completely to the discretion of lord W. Bentinck, that he was not to send any portion of his troops under his command, if such a proceeding would be inconsistent with the safety of Sicily. Such was the character of the instructions sent to lord W. Bentinck, and lord Wellington had been made acquainted with them, so that he had been given to understand not possitively to calculate on the advance of lord W. Bentinck. He had been informed of the contingencies on which such advance depended. A communication then followed on the subject, and it was understood to be extremely desirable that a force should appear about the middle of July on the eastern coast of Spain. Accordingly, at this time, one division was sent, but with some doubt, whether a second division could be sent after it, and whether in this case the first division might not be forced to alter its destination. In a fortnight, however, the second division followed, that is, in fact, as soon as it was raised, and in the whole proceeding, there was not the least delay. Suchet was in the mean time enabled to advance. The noble marquis had, however, concluded that this was a complete failure—that it had enabled Suchet to send a large force on Madrid. But what were the circumstances attending that fact; or rather, what was the fact itself?—why, that one regiment only had ventured to advance on Madrid.

Marquis *Wellesley* here remarked, that he understood the force which marched on Madrid in that instance, to be a much greater amount.

Earl *Bathurst*, in continuation, observed, that he did not know how that might be—he had relied on the dispatches of lord Wellington, who so stated the matter. But this additional force—this one regiment, enabled Joseph to remain in Madrid! How was this fact? This regiment arrived in Madrid on the 30th of July, and Joseph left it on the 21st, so that this force, which was represented as having enabled Joseph to advance from Madrid, did not arrive there till ten days after he had left it. Well, then, what good had this mighty detachment effected? It had not enabled Joseph to keep Madrid—it had not effectually added to the strength of the Retiro—it could have had no influence upon Joseph's first movement from Madrid; and when he again returned to that city, in consequence of the defeat of Marmont's army at Salamanca, he was not enabled to make more resistance, or a longer stay, on account of such reinforcement. The next instance of the deficiency of our means was in the siege of Burgos; and here he would observe, that it was completely impossible that lord Wellington should have known any thing of the great strength of that place previously to the 19th of September. The assault of the 22d of September might have succeeded, had not the officer unfortunately fallen who led on the attack, during its progress. In the pocket of that officer were the plans of attack, the disposition of the forces, &c.; the body fell into the hands of the enemy, and the French of course profited by those documents, indeed they had enabled the enemy, no doubt, to foil our efforts. Ministers did not know of the siege till the 11th or 12th of the next month, and it was needless to observe that it was then too late to do any thing. As to affording assistance after the battle of Salamanca, it was not precisely known to the government, what course lord Wellington would pursue subsequently to that battle, and therefore it was not known which way reinforcements should be forwarded. Immediately after the battle, they had sent off two messengers to learn the course lord Wellington meant to take, and where to send the reinforcements, whether to Lisbon or in any other direction. The noble

marquis had asked, why send these messengers to ask so idle a question? Lord Wellington was of opinion, and thought this information so necessary, that he had himself sent to apprise government when they should send reinforcements to meet him. In two days after ministers learnt the place of destination, the guards sailed. Having obtained information that could be proceeded on, the men were forwarded, and though they had not arrived quite so soon as was expected, they had left England at the earliest possible period.

The noble lord had, in other parts of his speech, maintained that nothing effective could be considered to have been done, except the French had been entirely deprived of the military possession of Spain—that because the enemy had not been driven out of the country—the result of the campaign had been nugatory.—Did these sentiments accord with those the noble marquis had himself delivered in 1810, when he maintained, that if the campaign were in no other respects successful, it tended to create a diversion in favour of those countries disposed to throw off the dominion of France, it tended to rouse a spirit of resistance in countries already subjugated to that power, and consequently might be productive of the general manifestation of an independent spirit against the aggression of the common enemy? But was it nothing that the south of Spain should have been cleared of the French—were the successes of Badajoz and Ciudad Rodrigo of no consequence? Something had been effected, if the views of England now were what the noble lord had powerfully described them to be at the beginning of the war in Spain, 1st, to create a diversion in favour of our allies, 2dly, to encourage resistance in other countries, by showing its effects in Spain, and 3dly, to prevent the commercial and military means of that country from falling into the hands of our enemy. Those had been the views of England—those were the views of the present government—and those views had been forwarded by the last campaign.

There was another point of the noble marquis's speech, which he felt anxious to notice. He alluded to the disposable force in the country, and the number sent out to the peninsula.—In the course of the year very nearly the number of troops for which the noble mover had expressed a desire were sent. More could not have been spared. The disturbances that unfortunately existed in the country gave employment to five regiments of cavalry. The noble marquis said that 40,000 infantry were too much for the internal service of the country; but it should be considered that this number was spread over England, Scotland, and Ireland. With respect to the state of the army in this country and Ireland, there was, he believed, no regiment consisting of more than 500 men; and many of those regiments which the noble marquis adverted to were mere skeletons, and were placed in Ireland for the purpose of being recruited and restored to health. He had also left out of his consideration the regiments unfit for service, such as those lately arrived from the West Indies. And therefore his inference from the statements he had made, could not possibly have the force he wished to attribute to them. The noble marquis had talked about the resources of this country, as if he were unacquainted with the difference between foreign and home expenditure. He seemed to think as if it were as easy to extend our foreign expenditure, as it would be to extend our home expenditure. But, if there were only an increase of one million of foreign expenditure, the purchase of specie would affect the country much more seriously, than would a like increase of home expenditure. Such an increase would affect most materially the course of exchange, and operate as a tax upon the whole amount of our foreign expenses. Indeed, such was the great difference, that if eleven millions of foreign expenditure were increased by a million, it would not then of consequence become twelve millions, but would be more likely to make fifteen millions of foreign expenditure chargeable on the country. Such was the tendency to increase of all foreign expenditure. Though the course of exchange might be materially affected by such increase of our foreign expenditure, yet, in ordinary times, the activity of our merchants was such, that foreign trade increased, and a flourishing commerce enabled us to meet that increase; this was the case when the continental markets were open to us; but, during the two last years, under the operation of the continental system, while our expenditure had increased, our exports had also diminished, and by this reason we were pressed upon difficulties, which we otherwise might have been enabled to overcome. Another

point on which the noble lord had touched was, the system of licences as the cause of the exportation of gold and silver. It was well known, however, that when the exchange was against us, the gold and silver would by some means or other find its way out of the country, and as the balance on that licence trade was in our favour, it tended to decrease rather than augment our difficulties. Licences had been resorted to, and whatever might be thought of the principle of them, the balance had been very considerably in favour of this country; therefore, instead of adding to our difficulties, that trade had tended the better to enable the nation to meet them. He begged pardon of their lordships for detaining them so long, and should conclude with expressing his determination to vote against the motion, as he did not admit that a fair case for inquiry had been made out.

Earl *Grey* said, that the attempt which had been made to reply to the eloquent statements of the noble marquis had completely failed. He did not think that any thing had been said in reply to the strong arguments of the noble marquis for inquiry, which ought to induce their lordships to abandon one of their most important duties. That there was a great and lamentable failure could not be denied; and was it not becoming that House to enquire whether that failure were to be attributed to the mismanagement of ministers? It was one of the most important duties of that House, in cases of ill success, to vindicate the interests of the country, by visiting with its severest censures the causers of the misfortunes, and even if it should be found that there were no persons to blame, it was still their duty to enter into the strictest scrutiny of the accidents which led to the mishap, as the means of guarding against its recurrence. This was the principle, as he conceived it, on which that House ought to proceed; however, in certain cases, that principle had been deviated from; and he was obliged to confess, that on looking to the conduct of the House in similar cases, he felt considerable fears for the present motion. Inquiry would, however, also be of great utility to the government, for if it were found that the failure was not owing to any mismanagement of our resources on their part, the country would have that confidence in the ministers which the ministers ought to possess. On former occasions which called loudly for the inquiry, their lordships had refused it. After the lamentable event which took place at Corunna—after a series of ill-timed calamities, and after the death of that able and excellent general, Moore, inquiry was demanded of that House—but it was refused. After the battle of Talavera, which was followed by disasters so deeply to be deplored, inquiry was demanded of that House—but it was refused. And, lastly, after the failure of that disgraceful expedition to Walcheren, memorable for the supineness that preceded it, and for its wretched termination—an expedition which contained within itself all the objections to any military enterprise in its object, its means, and its execution, and which drew down upon itself the indignation of the country, inquiry was demanded of that House—but it was refused. When they had refused to enquire into the causes of such failures, calamities, and disgraces, what reason had he to expect that they would listen to the motion of the noble marquis? He candidly confessed that he expected no favourable result would arise from that night's discussion.

To advert, however, to the case before them, the first question for their lordships to determine, was, whether or not the great objects of the campaign had been realised? He contended, that they had not been realised, that, on the contrary, there had been complete failure. But the noble lord who spoke last had said, that there had been some very splendid successes, that our situation was better than at the commencement of the campaign, and that, consequently, all the objects of the campaign had not failed. He was ready to admit there had certainly been successes, and some very splendid achievements. There had been the captures of Ciudad Rodrigo and of Badajoz, and those two fortresses had been important to the protection of Portugal. There had also been a greater advantage than either of those—the advantage of the laurels won at Salamanca by the glory accruing to our arms, and by the confidence of our army in their illustrious commander. But how had all these successes turned to our advantage by the conclusion of the campaign? What all had hoped and all had expected had not been realised. If there ever was an occasion, he thought this was it, when the accomplishment of much was no excuse for not accomplishing more—when he might truly say with the poet—

"Nil actum reputans, si quid superesset agendum."

If, indeed, we had not only taken Ciudad

Rodrigo and Badajoz, and driven the French from Andalusia, but taken Burgos and driven the enemy behind the Ebro, still if there were means sufficient to have driven them beyond the Pyrennees, and secured Spain on one side by that barrier, and on the other side by the ocean, a barrier still more impenetrable when covered with British shipping—supposing that even so much could be shown, and that more might have been done but for the mismanagement of ministers, he would maintain that fair ground would have been shown for enquiry. Such a case had been made that night. It had been shown, that more might have been done than had been done, and it therefore remained to be ascertained what were the causes of this failure. He was convinced the illustrious commander felt as keenly the disappointment of such failure, as could any man in this country, and of the hopes that had been justly raised by the battle of Salamanca, and by the result of that glorious day. The noble marquis who had brought forward the present motion had asserted, and his assertion had been supported by his statements, that in several points a failure had taken place in the efforts of lord Wellington in consequence of a deficiency of means, and it was, he would contend, the duty of their lordships to enquire, to what such failures had been owing. It was quite clear that, after the siege and capture of Badajoz, lord Wellington was unable from a want of means to pursue the plan of operations he had projected in the south, and compelled by the same cause to direct his attention and force to the north, to prevent the irruption of Marmont, and to succour Ciudad Rodrigo. If lord Wellington had not been enabled to keep a sufficient force in the north, to repel that incursion, was not this a subject for enquiry? That House would not do its duty if it did not ascertain whether his Majesty's ministers had on this occasion acted with wisdom and vigour; and this could not be done without enquiry.

The next point of charge was, that when after having withdrawn from the south, and advanced into Spain to Salamanca, in full confidence of a diversion in the east in his favour, no such diversion had been effected. Though assured that measures would have been taken to render this diversion effectual, and induced to penetrate into the heart of the country under the conviction that it would take place, it was not till July, after he had already entered Spain, having passed the Douro in June, that he learned that the co-operation of the expedition would not be ready. He had been induced to advance under an expectation of the expedition, and had actually commenced his retreat on the 20th of July, before he was apprised of the fact that the diversion could not take place. It was possible that his expectation might have been erroneous—it was possible that ministers might not have failed in the promises of support which they held out to him—it was possible that lord Wellington might have calculated without just grounds upon the co-operation of an expedition in the east, or that it might have been the fault of lord William Bentinck that the expedition failed to produce the effect expected—but in whatever quarter the fault lay, it was the duty of that House to enquire. It was obvious that the expedition must have been intended to effect some diversion in favour of lord Wellington. But the point which had been chosen, from its distance, rendered it impossible for him to communicate with it, and therefore it proved useless, and continued inactive, at the place where it first landed, without any other returns to this country ever since, except those of the sick. Though ineffective as to the objects of the war, it was, however, effective to retard the progress of lord Wellington. The agent of this force at Gibraltar applied to its use that specie which would have enabled lord Wellington to prosecute his operations—thus the expedition had proved not a diversion in favour of lord Wellington, but in favour of the enemy. In fact, the landing of the expedition at Alicant prevented its being of any service to lord Wellington. Did the planners of this expedition know where Alicant was situated? He might apply to this as he had applied to the more fatal expedition to Walcheren, that it was not possible to send it to a place where it could be of less use. Notwithstanding all this, however, that illustrious commander, taking advantage of the misconduct of the French general, obtained the glorious victory of Salamanca. Still after the battle he remained unable to prosecute the advantages it offered, by following up his success by the total destruction of the enemy's force. In looking at the progress of the campaign, it seemed incomprehensible to many, and appeared extraordinary, that after the signal defeat of Marmont, the British gene-

ral had not been so reinforced as to be able to secure the possession of Burgos, a place he considered of so much importance, and to drive the enemy behind the Ebro. It was for ministers to explain why this had not been the case, for the noble marquis had that night explicitly stated that he had not sufficient means, and was prevented from following up his advantage from his want of force, whilst the enemy possessed under Joseph a force of 12,000 infantry and 3,000 cavalry, besides considerable reinforcements from Suchet, which lord Wellington was unable to keep in check and at the same time pursue Marmont. To this charge of having neglected to support the noble marquis adequately, no answer had been given; and the effect of his want of means was, that all the advantages of the victory of Salamanca were lost, and that lord Wellington was unable to follow up Marmont's beaten army, from his deficiency of means. This was a point which called for enquiry.

He came now to a still more serious point—the siege of Burgos, a siege which lasted a month, and cost the British a loss of between two and three thousand men. With respect to this operation, they had been informed by the noble marquis, that until he saw and felt its approach, lord Wellington had no intelligence of the force of the army of the north, and by the noble earl, that until he had taken that hornwork he could obtain no intelligence of the state of the fortress of Burgos. He had thought that the Spaniards were animated with a more lively zeal to assist us in the cause which we maintained for their sakes, and that, at least, they would have procured the intelligence which was so necessary to the success of lord Wellington's operations. He could not have believed that in a country where the people were said to be attached to us and interested in our success, it was possible that lord Wellington should have remained in such total ignorance. This circumstance, he would own, did not appear to him to hold out any strong encouragement as to the future progress of the war. Still, however, deficient as he was in such essential intelligence, lord Wellington undertook the siege, and in this as in the other cases, according to his own statement, failed from a deficiency of means. It had been stated by the noble earl, he would allow, that there had been no such defect of means, and in this the noble earl appeared in some measure to cast the blame from his colleagues upon the noble marquis. But if what the noble earl had stated was correct, and lord Wellington, having sufficient means to prosecute the siege to a successful result, had neglected to bring these means up (a circumstance which he would never credit) then, again he must contend, that it was the grand duty of that House to inquire into the circumstances of the case. Upon the subject of the retreat which followed, he should not say much; but from the disorder and consequent scenes of plunder, which attended it throughout its progress, he was sorry to say that he was afraid the consequence would be, that it would alienate the minds of the inhabitants of the provinces through which the army had passed.—Every thing however considered, he must contend, that the noble lords opposite were, *prima facie*, bound to show, that the adequate means of reducing Burgos and of reaping the advantages of the victory of Salamanca had been supplied—but wherever the fault lay, he would say, inquire. It had been charged, that no reinforcements had been received, during the whole campaign, till after the battle of Salamanca, and after the commencement of the retreat; and to this the noble earl had replied, that no reinforcements had been required. But had not ministers been apprised that lord Wellington was about undertaking great offensive operations; and was it not their bounden duty to supply to him the means of executing them with effect and success? It behoved them, with a view to the importance of the issue of these operations, to have provided means of support in partial failure, and of pushing his advantage after success. They were aware of the state of Europe, and must have known the effect that would have been produced at such a crisis by a vigorous and decisive effort in the peninsula. Looking to the state of Europe—to the circumstances of the actual campaign—to the views and projects of lord Wellington—and to the consequences that would result from a grand and decisive operation in Spain at that moment—ministers were particularly bound to send out ample means to lord Wellington to enable him to carry his enterprizing projects into effect, and to crown the operations he was undertaking with brilliant and unqualified success. This he would maintain was their duty, and it was incumbent upon their lordships, when they considered the heavy consequences of their having failed in the

performance of it, to institute an inquiry into the causes of that failure. But when charged with neglect to send out sufficient reinforcements as early as possible to the support of the army, the noble earl replied, that no time had been lost in sending out reinforcements after the battle of Salamanca. How had that been proved? The battle of Salamanca took place on the 22d of July, and yet no reinforcements had joined the army till after the retreat had commenced. But, said the noble earl, troops were sent out early in September. Allowing that to be the case, did it prove that no time had been lost in expediting them? The battle was fought on the 22d of July—the intelligence of the victory was received in this country on the 15th of August, and it was not till the 15th of September that the reinforcements were sent out. Not a man was dispatched from this country before that period. Was not this a subject that demanded inquiry, and were not their lordships bound to call upon ministers for this extraordinary delay? Could it be said, that with the means of this country, reinforcements could not have been sent sooner? If we had not accomplished all the objects of this campaign, it was owing to our deficiency of force, and it was of the utmost importance to know whether all that could have been supplied had been sent. The question in reality was, whether, if lord Wellington had not accomplished all that might reasonably have been expected, the failure had arisen from a deficiency of means, or whether the deficiency of means was owing to the neglect of ministers in supplying them in adequate proportion, or to the real defect of the resources of the country? Of this their lordships must be convinced, that ministers were bound to supply lord Wellington with all the means in their power to send him. His noble friend who had brought forward the question, had stated, with a view to prove that they had had ample means, that there were at that period stationed at home 40,000 infantry and 12,000 cavalry, and to his question, why no part of this force had been applied to reinforce the army, no satisfactory answer had been given by the noble earl. It was true that noble lord had stated that a considerable part of the force alluded to by the noble marquis, consisted of skeleton battalions which had returned to recruit from severe and active service. But was this any answer? Though each battalion might not consist of 500 men, the aggregate force amounted to 40,000, and that total, he must contend, would have afforded very sufficient reinforcements. He was not disposed, however, to enter into these details, nor did he suppose that their lordships would think it necessary for him to dwell upon them. Still he thought that he had said enough to show them, that even upon this ground the House was bound to enter into the enquiry proposed. There was one point in the reason assigned by the noble earl for keeping so large a force at home, which he felt peculiarly bound to notice. Their lordships would recollect, that in enumerating the causes for retaining so large a force at home, the noble earl mentioned the state of Ireland. —(No, no! from earl Bathurst.)—If his ears had not deceived him, the noble earl had distinctly assigned that as one of the causes.—(No, no! again from earl Bathurst.)—Certainly the noble earl had stated that the force in question was dispersed over Scotland, England and Ireland.—(Hear, hear!)—On the mention of Ireland, he was persuaded that the feeling of that House must have been, that it had a direct reference to the state of the Catholics in that country. That was his feeling, and he was fully persuaded that the state in which Ireland had been kept was a principal cause why the government was obliged to keep so large a force at home, and the sole cause which shut out from the army so large a source of supply of numbers to its ranks as that country would otherwise afford. He was happy however at last, at the bright prospect which the Resolutions of the House of Commons with respect to the Catholics had opened—he was happy to perceive that there was at length a just hope that that great measure of justice and sound policy, the relief of the Catholics from the disabilities to which they had been subjected, would be carried into effect. He hailed the Resolution of the House of Commons, contained in the Votes on their table, as the first measure of true and liberal policy; of a policy which he hoped the ministry would not attempt to defeat. He hoped that the noble lords opposite, though hostile to the principle of the measure as they had declared themselves, would not oppose its execution. He entreated them to take the state of the empire seriously into their consideration, and not to think of granting the privileges

sought partially to the Catholics, but in a spirit of generous conciliation, and he was persuaded that the effect of the measure would be that it would leave nothing to them to fear from the consequences of the war. It was their duty to look seriously at the question, to grant the concessions, not in partial and niggardly measures, but in such a spirit of conciliation as might unite Ireland to us in interest and affection, and raise up within us such a force which would leave us nothing to fear from the utmost efforts of our enemy. It was to him personally a satisfaction to hear some of those persons who had been loudest in arraigning the measure which he had in a former instance proposed, and which, if it had then been carried into effect, would have prevented many of the mischiefs which had since occurred,—who had asserted that it would have been injurious to the Protestant, now proposing to grant to the Catholics more than his measure was to have given them—to admit them not only to the highest ranks in the army, but to the honours and distinctions of the law? This, he would confess, was to him a personal triumph and satisfaction. He hoped the public would judge as they ought of the conduct of those persons who felt themselves justified in stating that if his measure had been carried into a law, the state would thereby be ruined, and the established church subverted, when they now came forward and stated that all which his measure conferred might be granted, provided no more were granted. He hoped the public would understand from this the arts used to deceive them, by seeing these persons propose the same concessions as he had formerly proposed.—They might understand with what views those assertions had formerly been made; and learn how to judge from them of the assertions respecting the question at present, and rest satisfied that when the whole measure was carried to its utmost extent, these persons would with equal facility conform themselves to circumstances. He was aware that this had no connection with the question before their lordships, but he could not refrain from thus alluding to it.

If the statements respecting our pecuniary resources, and our inabilities to make further exertion in that war, were correct, they tended to produce considerable doubts as to the continuance of the contest. Nothing had been said by the noble earl as to the strange counteraction of the different agents, by which lord Wellington was deprived of the necessary specie. No satisfactory answer had been given respecting the system of licences, by which the accoutrements of Soult's army had been sent from England. Nothing had been said as to the statement that dollars could be procured in America at a cheaper rate than in the peninsula; and if lord Wellington retreated for want of specie, this was surely a sufficient ground for inquiry. The course of exchange was now complained of. In the discussions on the subject of the paper circulation, one of the pretended advantages of it was the facility it was supposed to give for carrying on the war. But now it appeared that not only it had no such good effect, but that it formed, through its effect, the unfavourable state of exchange, an excuse for the fault of the ministry in not carrying on the war. The noble earl (Bathurst) admitted that the state of our commerce crippled our exertions, and the state of our commerce was attributed to the continental system. But was no part of our distress to be attributed to the loss of a commerce to the amount of twelve millions annually, which had been struck off by the war, in which the impolitic conduct of the ministry had involved the country with America? He (lord G.) did not mean by this to support the American government in such demands as were inconsistent with those maritime rights, which were essential to our maritime greatness, but if his Majesty's ministers had not persisted in the Orders in Council till America was irritated, and repealed them only at the time, when the account of our sufferings at the want of commerce went out to give the Americans a sense of their own importance, these demands had never been made.

In the objections he had made to the want of exertion, it was not to be inferred that he was an enemy to the system of husbanding our resources, which he had always professed and advocated. But this system should never be carried so far as to prevent us from striking a blow when an opportunity presented itself: indeed, this was one of the uses of this system, that in such cases gave us the means of doing it.

Neither had any thing happened which induced him to repent of his opinions, on the subject of the Spanish contest. It was his opinion, that the efforts of the Spanish people against France, could alone enable

them to withstand that overwhelming power. These sentiments he had uttered under the supposition, that no other power would stand up against the French emperor, and that that emperor would not depart from the unity of council, and of action, by which (as the noble marquis had stated) the greatest successes of that ruler had been achieved: and, indeed, if, with such a commander, and with such an army as we possessed, and at a time when the army of France in the north had met with disasters greater than which never before fell on a host assembled for the purposes of injustice and ambition, we had achieved so little in Spain, what if one-tenth only of the force employed against Russia had been turned against us, would have been the issue? When, with generals, each independent of the other, the ruler of France appeared to imitate the follies of his enemies in their ill-timed and independent coalitions, then arrived the time for exertion. The exertions had failed—failed (he would repeat) almost entirely as to their great objects.—The French were left in possession of the best parts of Spain, and we had not advanced in any degree (considering the effect of the last campaign on the minds of the people of Spain) to the accomplishment of our object. Such was the case, and it loudly called for inquiry.

Great stress had been laid on what had been said as to lord Wellington being satisfied. He agreed with the noble marquis (Wellesley) that great temerity was involved in such an assertion. Was it meant to be said that lord Wellington did not regret the raising the siege of Burgos—that he did not regret his having been obliged to retreat from Madrid? Was lord Wellington so little sensible to military glory, as not to regret that the campaign was at last terminated so much less successfully than it had promised to be? Would it be asserted, that if he thought that means sufficient might have been attained for pushing further his successes, he would be satisfied? All that could be said, was, that lord Wellington, as a great commander, made the best of the means he had. Of what means he might have had, he was no judge (hear, hear!). But, when he had g ined such great advantages, and had raised British glory so high, and yet had failed, and it were said to him, "You had 40,000 men after the battle of Salamanca; you might have had 60,000, which would have given you the power to have driven the French beyond the Ebro," would it be believed that in such a case lord Wellington would have been satisfied?—The noble earl concluded by giving his cordial support to the motion.

The Earl of *Aberdeen* thought a motion implying censure on ministers had never before been made on such slight grounds. The last campaign had been not only most glorious, but most beneficial to the common cause. He had once talked with a French general, a prisoner in this country, on the war, who assured him, that it was quite in vain for this country to contend with Buonaparté, unless the measure of conscription were resorted to. This he (lord Aberdeen) was of opinion, might be necessary to meet the ideas of the noble marquis. He replied at some length, but in a low tone of voice, to the arguments of earl Grey and marquis Wellesley. He deprecated inquiry as useless: Marmont had been signally defeated, the south of Spain entirely freed from the French yoke, and as much achieved as the resources of the country and the nature of the case would admit.

Lord *Boringdon* contended that his noble friend who spoke last, had not taken that broad and liberal view of the subject which was requisite, for the question did not turn upon the use of the means which were at the disposal of lord Wellington (of which he had made the most), but upon the conduct of ministers in neglecting to avail themselves of the circumstances within their knowledge, which would have led to a different result, and one more suited to the expectations of the country. The termination which had been come to was very opposite to that which had been fondly anticipated after the battle of Salamanca. To him enquiry seemed necessary, and he would vote for the motion.

The Earl of *Liverpool* said, of all the motions he had ever heard made in that House, the present was one that rested on the slightest grounds, nor did he ever hear a case for inquiry so weakly made out. After the most patient and the most anxious attention to the speech of the noble mover, as well as to that of the noble earl (Grey), he was not able to see any sufficient foundation for the proposed inquiry. There was no better ground, indeed, than that which one might have in any case of great success; for success was seldom so complete, as not to afford, in

some point or other, arguments for inquiry. Though his noble friend had called it a failure and a defeat, he would still contend, that the campaign was the most brilliant achieved by British arms during the last century, or indeed at any former period of our history. The noble earl had thought proper to give their lordships a lecture on the American war, but however important that subject might be of itself, it was wholly irrelevant to this case. The noble baron and the noble earl said, 'If you failed, why have you failed, and if you succeeded, why did you not do more?' He would ask, what would have satisfied us in January 1812, as the result of the campaign then soon to be commenced? and would add, was it not more successful than could have been expected by the most sanguine? In January 1812, though he had delivered Portugal, yet most of Spain was in the possession of the enemy. Lord Wellington was not then, nor was he even now, as unreasonable as other persons in his demands or his expectations. He then had in view the reduction of Ciudad Rodrigo and of Badajoz, and the campaign accordingly commenced by the sieges of both; and though the noble marquis thought otherwise, he must affirm that the means were quite adequate for the reduction of both. The next great object after the delivery of Portugal was to improve the situation of Spain at that period? The whole south of Spain, its government and authorities, were under the dominion of the enemy; and in that state of things lord Wellington undertook the campaign; he could not be expected to do impossibilities; but what he then looked to as the ultimate object of his views, was, that after the capture of Ciudad Rodrigo and Badajos, he might proceed to the south of Spain; contrary, also, to what had been maintained, he contended, that the government never disappointed lord Wellington. Lord Wellington's opinion upon that campaign certainly was not to shut up the judgment of that House, but his authority was material upon which to form that judgment, and if the noble lord could shew, that it had been held out to him that he was to have had a larger army, more considerable resources, &c. and that the government had not answered these expectations which they so held out, such a case would be a strong accusation against the government, but no such case had been made out. Let it be proved, that he expected more means, or a larger army, or any important diversion in his favour, and that would justify inquiry. It had been said, that we ought at once to have sent out a greater force, to drive the French out of the peninsula. In this he agreed with him, but were they to deprive themselves at once of all their resources—he (lord Liverpool) rather wished for an effort, which we should be able to maintain, than for one, which, after lasting perhaps for a few months, we should be obliged to give up. It was said, that lord Wellington, instead of going to the south, moved towards the north of Spain, and for this the government was blamed, but lord Wellington was of opinion, that, for the objects of the campaign, it was equally the same, whether he proceeded to the north or the south. At all events, it was not in our power to equal the force of the French. If there was any failure in the co-operation expected on the part of lord William Bentinck, it was not the fault of the ministry; for when they sent out their instructions to his lordship, they at the same time sent copies of them to lord Wellington. If the co-operation was then practicable, lord Wellington must have known as well as any body how it was to be effected. He would, besides, contend, that the expedition arrived on the east coast of Spain, as soon as it was expected by lord Wellington; and it was its timely arrival that prevented Suchet from supporting Joseph, and thus enabled lord Wellington to gain the battle of Salamanca. He must also maintain, that there were sufficient means in the peninsula for the siege of Burgos. And he would remind his noble friend (marquis Wellesley) that we failed twice before Burgos, even when his noble friend was secretary of state. Lord Wellington was of opinion, that if he could have taken Burgos by the middle of October, and Ballasteros had moved upon Valencia, he should have secured Castile and Madrid.—He then read part of a letter from lord Wellington, in which he stated, that they had then taken or destroyed 300 pieces of cannon belonging to the enemy, and that the campaign would have been fully successful had his lordship been able to take Burgos earlier in the season. He contended, that much of what had been left uneffected was owing to the conduct of Ballasteros, and his refusal to execute lord Wellington's orders; for had he moved, as he was ordered, the French could not have effected what they

were thus enabled to effect. It was to this and to the failure at Burgos, and not to a want of means, that we ought to attribute the want of complete success in the campaign. It had, however, delivered one third of Spain from the enemy, given us all his arsenals and stores, secured to us the keys of Portugal, and supported the military character of this country.

The great object to which they had been looking, was, that the whole force of Spain should be placed under the command of one individual, and that individual the British commander. That object had at length been accomplished, the whole force of the kingdom having been placed under the command of the marquis of Wellington, who had obtained from the Spanish government those facilities which he wanted, and this, too, after what the noble lord chose to call an unsuccessful campaign. He, on the contrary, was ready to shew that the campaign, instead of being unsuccessful, was the most glorious of any we had had. As to the alleged charge of want of effort, he contended that every effort had been made that could be made. Every disposable battalion had been sent to the peninsula. At the time alluded to by the noble lord, the force which he stated to be necessary could not be sent. We had in the peninsula a larger force than it ever could have been expected we should have been enabled to support there; a larger force would be an embarrassment, rather than an advantage, unless the means of supply were at hand. That the means of supply were not at hand, was no fault of ministers —no limit had been put to the orders given to procure money to send there, but there was necessarily that limit at which the price given would have brought back money from the peninsula, instead of sending it there. The exchange being in every quarter unfavourable, rendered the supply of the army necessarily difficult. We lost in drawing bills at the rate of 23 or 24 per cent. that was to say, a loss of upwards of 3,000,000*l.* upon 15,000,000*l.* Had the army been of larger amount, the loss must necessarily have been in greater proportion, even to the extent of one half, or a greater amount. He contended that every exertion had been used that could be made, both to send troops to the peninsula, and to supply them when there. The success of the war was, he maintained, indisputable: Portugal had been not only rescued from the enemy, but placed in a state of security; and now one-third of Spain was relieved from their presence. Spain and Portugal had set the example, which Russia had so happily followed. Russia, to all the advantages arising from the unanimity of the people in their determination to oppose the enemy, added the great advantage of which Spain was unhappily deprived, of having a government in full activity to direct all the operations against the enemy, whose army had thus been overwhelmed and destroyed. The example thus set and happily followed, would have an effect amongst the other nations of Europe, and he trusted would rouse their spirit, animate their exertions, and teach them in what manner effectually to resist oppression, would teach them that an united nation, determined to resist an invader, could not be conquered.

Earl *Grey*, in explanation, contended that his noble friend having stated that at the period mentioned, a reinforcement of 15,000 men sent to the peninsula would have achieved all the objects of the campaign; that that force might have been sent from this country, and that money might have been found to pay and supply them; that therefore, there were amply sufficient grounds for enquiry.

The Earl of *Darnley* strenuously supported the motion, as he thought there were never stronger, or more various parliamentary grounds laid for an enquiry than those brought forward by the noble marquis. He thought also their lordships were bound to enquire before they trusted the same men with the conduct of another campaign.

The question was then called for and put. The Lord Chancellor declared his opinion, that the Non Contents had it. A silence for several moments ensued, at length, one of the opposition peers said, the Contents had it. When a division necessarily took place as follows;—Contents 31; Proxies 8; Total 39 —Not Contents 70; Proxies 45; Total 115. Majority against marquis Wellesley's motion 76. Adjourned.

HOUSE OF COMMONS.

Friday, March 12.

PAY OF OFFICERS OF THE NAVY.] Sir *Francis Burdett*, adverting to the present allowance made to officers of the navy, for the supply of their mess tables, observed, that the scantiness of this allow-

ance was a very great hardship upon the officer, in the course of whose duty it was to keep a regular table for the other officers on board his ship. Many complaints had been made upon this subject, and it was agreed on all hands that the present allowance was wholly inadequate to the purpose. It was therefore his intention to bring forward some proposition before the House upon this subject, unless it was taken up by the hon. gentleman opposite (Mr W. Dundas.) His intention was to propose that an additional allowance should be made to the officers actually commanding, in the proportion of 10*s.* per diem to officers commanding 2d rates; 8*s.* per diem to officers commanding 3d rates; and 6*s.* per diem to officers commanding 4th, 5th, and 6th rates.

Mr. *W. Dundas* said, a measure somewhat of a similar nature was in contemplation, and would be proposed for the consideration of the House. For himself, he should say that such a measure was absolutely necessary, and he should be happy to receive any suggestions, or meet any ideas of the hon. baronet upon the subject.

NAVY ESTIMATES.] The House having resolved itself into a Committee of Supply,

Mr. *W. Dundas*, in bringing forward the Estimates of the Navy, was not aware that it was necessary for him to go at any length into the details, as they were framed in the usual manner. If there appeared an excess over those of last year on the face of the present Estimates, it was to be remembered, that the number of our enemies had increased. Though he did not propose to enlarge on the subject, he wished it to be understood, that he had no objection to every item being examined and criticised. He then proceeded shortly to state the amount of the present Estimates, and explained the causes of their differing in some instances from those of last year. He concluded by moving, "That the sum of 1,255,932*l.* be granted for the Ordinary of the Navy for the year 1813."

Mr. *Creevey* said, he rose to object to the grant of 1,000*l.* to the paymaster of marines, upon the same grounds that he objected to the salary to the paymaster of the forces, upon a former night, upon the discussion of the Army Estimates. But he chiefly grounded his objection upon a report of a former committee of that House, on sinecure offices, who had examined the right hon. George Rose, Treasurer of the Navy, Mr. Smith, captain Barlow, and some others, who had given it as their decisive opinion, that this office was useless and wholly unnecessary, and ought to be abolished. Mr. Rose had stated that no inconvenience could arise to the public service, from the abolition of this office, as the business could be as well conducted, and with better security to the public, by the paymaster of the navy. He therefore moved, as an amendment, That this grant should be reduced by deducting the sum of 1,000*l.*

Mr. *W. Dundas* observed that the hon. member might have called the attention of the House to this subject at a more proper season; it was not for any committee to dictate laws to the House, and this office was found both expedient and necessary. As he understood a Bill stood for second reading this night, which contained a sweeping clause to abolish this, as well as many other offices, he thought the hon. gentleman might have waited the fate and fortune of that Bill before he brought forward the present motion.

Mr. *Whitbread* never heard any thing less satisfactory than the statement of the right hon. gentleman, except it was the attempt at explanation which he had just made. The right hon. gentleman would place the House in this situation; they were either to wait the fate and fortune of a Bill which stood for discussion that night, or they were to forego the only legitimate means they had of abolishing an office which had been declared useless and unnecessary. The right hon. gentleman seemed to express himself with exultation, and could scarcely conceal his joy at the expected defeat of this Bill, which one of the ministers of the crown had intimated his intention of opposing, and the right hon. gentleman, who was well known to be an enemy to all such Bills, seemed to hope, that the fate of this Bill would be like that of a similar Bill in the House of Lords last year. It was now not less than four years since they had waited for the abolition of this place, and still it was introduced in the estimates every session. He hoped, therefore, his hon. friend would take the sense of the Committee upon it, for if the salary was once withdrawn, the office would fall to the ground, and this of all others was the most legitimate mode of proceeding for that purpose. But the right hon. gentleman vauntingly said, he had no trick, no evasion, he was not prac-

tised in legerdemain, and yet he never met any one who could shuffle the cups and balls with much greater dexterity, "here we are, all's fair, all above board, no trick, no evasion," and yet he never heard a less satisfactory statement made to that House. The right hon. gentleman seemed to pay no regard to the report of a committee of that House, when some of the oldest stagers at the Admiralty gave it as their decisive opinion, that no inconvenience whatever could arise to the public service by abolishing this office. The office itself had been brought under the cognizance of the House, and was allowed to come under the denomination of a complete sinecure. The House was now called upon not to vote this sum of money, but the right hon. gentleman refused, because there was a sweeping clause (as he termed it) in the Bill for discussion that night (which he hoped would not pass), which puts an end to all sinecure offices. He trusted upon these grounds the House would not vote that sum; to do so would be a scandalous mockery of public economy, and a shameful waste of the public money.

Mr. *Croker* contended for the absolute necessity and great utility of this office, which could only be abolished upon two grounds; first, that of economy, and next, that of public security. It was admitted on all hands, that there must be a person to receive and make the disbursements of this department, through whose hands a very large sum of money must pass. If this office was to be abolished the duties must be transferred to the Navy-office; and the first object would be to appoint an additional accountant, with a salary of 750*l.* per annum. There could, therefore, be no great saving in point of economy, and the money being deposited in the same way with that of the Navy-office, there could be no great risk to the public. The great difficulty and inconvenience was found in endeavouring to unite this office with that of the paymaster of the navy. The sums paid, sometimes on board, and sometimes on shore, made it a matter of great difficulty; and it was almost impossible to unite the offices for this reason. He, therefore, trusted the Committee would not agree to this amendment, upon such grounds.

The Committee then divided:

For Mr. Creevey's Amendment...35
Against it..............................56
Majority against the Amendment—21

Admiral *Markham* then went through all the different items in the estimates, objecting to each as he went along. A thousand pounds here and a thousand pounds there appeared to be nothing, but it was the accumulation of all these different thousands that was the serious evil of which the House and the country had to complain. A salary of 500*l.* a year to a librarian to the Admiralty, he thought, was an uncalled for and unnecessary expence, from which no real advantage could arise. He objected also to the large sums thrown away at Chatham; and also to the profusion of money squandered on the erections for the breakwater, which could never do any good. He begged to enforce on government the prosecution of the intended new dock at Northfleet, as infinitely more advantageous to the country than either the docks at Sheerness or at Chatham.

Mr. *Croker* entered into a minute detail and vindication of the different articles, objected to by the gallant admiral, and took a comprehensive view of the naval strength of the country. That a librarian for the Admiralty was not so unnecessary as the gallant admiral seemed at first to suppose, he hoped he would be ready to admit, when informed, that the hydrographical library of the late Mr. Dalrymple had been purchased by the Admiralty; that they possessed upwards of 4,000 volumes of the best hydrographical and geographical books; that it had been thought expedient that this subject should be attended to, and that there should no longer be suffered that lamentable want of information on this important subject which had so long existed. The librarian had shewn great skill and ability in the execution of his office, and the salary allowed was far from being too much, on the contrary it was greatly short of his merits. He hoped government would have credit with the House for their exertions, when he stated that there were 38 line of battle ships now building in the King's yards, and not one line of battle ship in the merchants' yards. This mode of conduct they had adopted from their predecessors in office, and nothing but absolute necessity should induce them to depart from it. The King's yards were not equal to the support of our navy, small craft and all; and therefore, in order most effectually to consult the glory of the country, by keeping up our navy, the plan of government had been to build all the larger ships in

the King's yards, and the smaller ships in the merchants' yards. He was happy to inform the House that there were now building fifty frigates, every one of which he had the expectation of seeing afloat, and in the way of being useful to the country before the end of autumn; some of them even in the course of the month of April next. Neither, however, had the government been unattentive to economy. Having a quantity of plank on hand, they had sold it at the rate of 12*l.* a load, to the persons with whom they had contracted for building their vessels, thus giving their own materials, and leaving only the work to those with whom the contracts had been made. The great increase of the naval force of our enemy, with the stinted means which he possessed, was indeed wonderful, and such as called for great exertions on our part to preserve our usual naval superiority. Every post announced to us the building of another and another vessel in almost every port. All our energies at sea, however, we needed not fear, would soon be exerted to produce something like Trafalgar, St. Vincent, or the Nile, to bring them back to their former state of comparative weakness. He was sensible that since the commencement of the French war, we had not had so formidable an enemy to cope with as we had at this moment. If the enemy went on increasing his means, we must do so too; and we must not forget that our navy must be the first object of our anxiety, as it was of our security; being assured that the country would not sanction the idea of its standing still while the navy of our enemy was increasing. The hon. gentleman went on to state, that the improvement of Northfleet was at present under consideration; but no expence which could possibly be saved was deemed expedient at a moment like the present. As to the yard at Chatham, though it was inconvenient for refits, or for laying up in ordinary, it was the best yard of all for the construction of vessels, or for large repair.

Admiral *Markham* in explanation, contended, that in the King's yard, the construction of small and large vessels should be united, as it would lead to a proper application, and a great saving of the several sorts of timber.

Mr *Croker*, in explanation, said, that in the present urgent circumstances of augmenting and preserving our navy, no means ought to be neglected; and therefore justified the building of vessels at Bombay.

Mr. *Whitbread* was obliged to the hon. gentleman for having gone so much more into detail, than the right hon. gentleman who opened the business, had thought it necessary to do. He begged however, to ask for information on one point, as to which the hon. gentleman had not spoken; he meant as to the construction of our vessels in point of durability. He particularly alluded to the Queen Charlotte, as to which it was reported, that while she had only gone from one port to another, and before she had at all proceeded on any hostile object, it had been found necessary either to take her in pieces, or to expend a large sum indeed in repairing her. He wished to be informed on this head, and also whether any precautions had been adopted to prevent the recurrence of such things in future. He begged strongly to recommend to the consideration of government a suggestion of the late lord Melville as to the propriety of building ships in the East Indies of teak wood, and every vessel so built should bring home, aboard of her, wood sufficient to build another vessel.

Mr. *Croker* stated, that an improvement had been suggested as to the strengthening of vessels, by Mr. Sippens, master shipwright at Chatham, namely, that of extending carpentering to ship-building, which, after trial, had been found to be of the most beneficial nature. The Ramilies, the Tremendous, and another vessel had had a trial of the beneficial effects of this improvement made upon them, and had come out of it most triumphantly. So excellent was this plan found to be, that one of those ships on which it had been tried, was now believed to be the strongest vessel in the navy, although the repairs or rather the alterations had been made with what was called off fall timber. Another ingenious gentleman, of the name of Corry, had suggested an improvement in the mode of fastening vessels; and the board had ordered a vessel to be fastened in the mode suggested by Mr. Corry, in order to give a fair trial to his suggestion. All the plans that had been suggested to the board had received a patient and full trial, and much benefit was expected to result from giving what appeared good in theory, a trial in practice. As to the question put by the hon. gentleman in regard to the Queen Charlotte, it was no doubt true, that that vessel had required a very large repair. He was happy to say, however, that she was now ready to receive

lord Keith's flag, and to proceed to sea, with credit, he trusted, to those on board of her. At present they were only in the dawn of science of this kind. Mr. Sippens was of opinion that the plan suggested by him would have the effect of preventing the recurrence of such misfortunes as that which had attended the Queen Charlotte. There were a number of scientific men in town, whom government had been in the use of consulting, particularly sir H. Davy, from whose suggestions many other valuable improvements might naturally be expected. He was happy to think that the evil, said to arise from the dry rot, had been much exaggerated; but, if it could afford us any satisfaction to know that our enemy's ships were in a much worse situation from the same cause, that was a satisfaction which be could assure the House they might enjoy. The Rivoli, after she had been only twelve hours out of port, being then a new vessel, was fallen in with in the Adriatic by captain Talbot, in the Victorious, and was captured. Captain Talbot sent a lieutenant and part of his crew on board, who rigged her with jury masts, and brought her into port in a tempest, which the Victorious herself could hardly weather; but when she was brought into port, though she was only a few days old, she afforded symptoms of the disease to which he had before alluded, to such an extent, as made it necessary to take her almost entirely to pieces. She was now, however, nearly ready for sea, and he hoped would not be long, in her turn, of capturing another ship of the enemy, and as she herself had been, of bringing it into a British port.

Sir *J. S. Yorke* said, that the dry rot might be avoided, by building the ships under cover.

Mr. *Wilberforce* pointed out the expediency of losing no time in forming the docks of Northfleet. He also suggested the propriety of building our ships upon some plan by which their duration might be ensured. The ships built one hundred years ago, were even now in a state of soundness, while those built in modern times were often unfit for service at the end of twelve or fourteen years.

Sir *J. S. Yorke* said, that one of the great causes of the bad state of our ships was the use of timber which had not been properly seasoned. He objected to the confined state of our dock-yards, and said that the timber was piled like the pyramids of Egypt, instead of being allowed to have the full benefit of the wind and weather. Our largest dock-yard at Portsmouth did not contain more than 80 acres, while that intended to be formed at Northfleet would cover an extent of 1,500 acres. Here there would be room properly to season the timber, and this he considered a cogent reason for proceeding with that work with all possible expedition.

Mr. *Croker* was happy to announce to the House, that, for the first time, a supply of timber adequate to three years' consumption in the navy, had been laid in during the present year.

Mr. *Whitbread* congratulated the country upon this circumstance, and hoped the House would no longer have to complain of the decrepitude of our ships of war.

Mr. *Huskisson*, on the next resolution, wished to know then why so large a sum was required for the pay of navy admirals, so much greater than it had been in any former year.

Mr. *Croker*, in reply, admitted the sum to be greater than in any former estimate; but it was to be recollected that a greater promotion had taken place within the last year than usual of captains to the rank of admirals. When the services of this very meritorious class of men were considered, this promotion could not be complained of, which, in the ordinary course, must necessarily be so very slow.

On the Resolution including provision for prisoners of war, Mr. Whitbread wished to know from the noble lord if any negociation for an exchange of prisoners, as was commonly reported, had been proposed by the enemy, and if so, on what grounds the proposition had been rejected?

Lord *Castlereagh* admitted that a proposition of this description had been made, but not on such terms as this country could accede to.

Mr. *Whitbread* thought that almost any terms ought to be acceded to, in order to remedy the present inconvenience. Without looking to our own prisoners in France, the number of French prisoners here at present, not less than 60,000, was of the most serious consideration.

Lord *Castlereagh* deprecated the idea of accepting any terms, however humiliating. Such a wish was the sure way to lead to disgraceful terms. Every effort had been made to obtain fair terms, but without success.

Mr. *Whitbread*, in explanation, pointed out an instance in which a certain description of French prisoners taken by us, had been improperly detained.

Lord *Castlereagh* declared that this government had never shewn any disposition to refuse reasonable terms.

Mr. *Whitbread* wished to know from the noble lord if this proposition of negociation had been rejected, as was vulgarly reported, by the interference of any foreign minister. He thought it proper, at any rate, that the correspondence should be laid before the House, and gave notice that if the noble lord was not inclined to do so, he should move, on a future day, for the whole of that correspondence.

Lord *Castlereagh* thought it would be time enough to explain when the hon. gentleman brought forward his motion.

The Resolutions having been severally agreed to, the House resumed, and the Report was ordered to be brought up on Monday.

Mr. *Whitbread*, adverting to an article that had appeared in the newspapers of to-day, purporting to be a Manifesto of the king of France, wished to know from the noble lord if this Proclamation had the sanction of our government. If so, he was afraid that peace was removed to a still greater distance than before.

Lord *Castlereagh* disavowed any knowledge or sanction of the production alluded to.

HOUSE OF LORDS.

Monday, March 15.

CLAIM OF THE EARLDOM OF BANBURY.] This day, the Claim of the Earldom of Banbury which (strange to say) had been before the House of Lords *for more than 150 years, was at last decided against the* Claimant, after many *long arguments in* the present and the former session of parliament.

The whole matter appears so clearly from the PROTEST of the dissentient Lords against the Judgment, which is a faithful Copy from the record in the Parliament office, as it will appear in the Lords' Journals, that no preface whatsoever is necessary for the perfect understanding of the case.

In the House of Lords, March 15th, 1813. Report from the Committee for Privileges on the Banbury Claim of Peerage.

The order of the day being read for taking into consideration the Report made from the Committee for Privileges to whom it was referred to consider the Petition of the person (general Knollys) stiling himself William earl of Banbury, to his Majesty, praying a writ of summons to parliament as earl of Banbury, together with his Majesty's reference thereof to the House, and the Report of his Majesty's Attorney General thereunto annexed.—The said Report was read by the Clerk.

It was moved to agree with the Committee on the said Report, which being objected to, the question was put thereupon.

It was resolved in the affirmative.

Then it was moved to resolve and adjudge, That the petitioner is not entitled the title, dignity, and honour of earl of Banbury;

Which being objected to, the question was put thereupon, and it was resolved in the affirmative.

Dissentient,

Because it was satisfactorily proved before the Committee, that William viscount Wallingford baron Knollys of Grays was in the third year of king Charles the first by letters patent, to him and the heirs male of his body, created earl of Banbury, and that the claimant was lineally descended from and was the heir male of Nicholas Knollys, whose petition to king Charles the second that he might have a writ of summons to parliament as being son and heir of William the first earl was referred to the Lords Committees for privileges on the sixth of June 1661; and it was therefore admitted that the only question before the Committee to determine was,

Whether the said Nicholas was the son of William the first earl?

Because, after the whole evidence had been given and duly considered, it appeared to the Committee that the determination of this matter involved a question of law, and that it was advisable to ask the opinion of the learned judges on the subject; who on the 4th of July 1811, upon questions for that purpose having been proposed to them, delivered, by the Lord Chief Justice of the Common Pleas, the following unanimous answers.

First. 'That in every case where a 'child was born in lawful wedlock, the 'husband not being separated from his 'wife by a sentence of divorce, sexual in-

'tercourse was presumed to have taken 'place between the husband and wife, un'til that presumption was encountered by 'such evidence as proved to the satisfac'faction of those who were to decide the 'question, that such sexual intercourse 'did not take place, at any time when by 'such intercourse the husband could, ac'cording to the laws of nature, be the fa'ther of such a child.'

Secondly. 'That the presumption of 'the legitimacy of a child born in lawful 'wedlock, the husband not being separat'ed from his wife by a sentence of di'vorce, could only be legally resisted by 'evidence of such facts or circumstances 'as were sufficient to prove, to the satis'faction of those who were to decide the 'question, that no sexual intercourse did 'take place between the husband and wife 'at any time when by such intercourse the 'husband could, by the laws of nature, be 'the father of such child.—That where 'the legitimacy of a child in such a case 'was disputed on the ground that the hus'band was not the father of such a child, 'the question to be left to the jury was 'Whether the husband was the father of 'such child? And the evidence to prove 'that he was not the father, must be of 'such facts and circumstances as were suf'ficient to prove to the satisfaction of the 'jury that no sexual intercourse took 'place between the husband and wife at 'any time, when by such intercourse the 'husband could, by the laws of nature, be 'the father of such child.'

'That the non-existence of sexual in'tercourse was generally expressed by 'the words "non-access of the husband to 'the wife;" and that the judges under'stood those expressions as applied to the 'present question, as meaning the same 'thing; because in one sense of the word 'access, the husband might be said to 'have access to his wife as being in the 'same place or the same house, and yet 'under such circumstances as instead of 'proving tended to disprove that any sex'ual intercourse took place between 'them.'

Because the foregoing answers throughout all the arguments leading to the final Report of the Committee against which we now protest, were considered as giving the rule by which the Committee ought to be guided; it being distinctly admitted that the question was not alone whether it was more or less probable that the said Nicholas was *in fact* the son of William earl of Banbury; but whether upon the evidence before the Committee he ought *de jure* so to be considered according to those rules and principles of judgment which would govern in the same case the decision of a court of law.

Because in support of the proposition that Nicholas ought so to be considered by the Committee, it was satisfactorily proved by the Journals of the House collected and reported by the Committee itself in its preliminary proceedings, that he sat as earl of Banbury in the convention parliament of Charles the second which assembled without writ; and that on the 13th of June 1660, during the sitting of that parliament on a question being made that a person, viz. the earl of Banbury sat as a peer, who it was conceived had no title, the matter was ordered to be heard at the bar of the House on Monday the 23d of July; on which day it sufficiently appeared by the Journals that the said Nicholas sitting as earl of Banbury was present, and was on that day named to be one of twenty-two lords on a committee then depending—yet that the objection to his title was not then heard, nor was there to be found any preceding entry in the Journal discharging the order; nor any adjournment of the consideration of the business; nor any entry of its being resumed during the session.—And it further appeared that he sat as earl of Banbury during the remainder of that parliament without further question, although the House proceeded upon and decided the disputed barony of Sandys.

Because it further appeared that no writ was issued to summon the said Nicholas to the succeeding parliament because only of the question which had been so made and abandoned in the parliament preceding.

Because it was further satisfactorily proved by the Journals, that the said Nicholas did thereupon present his petition to king Charles the 2d, for his writ of summons, which was referred by his majesty to the House, and by the House to the lords committees for privileges, who after hearing counsel and witnesses, did on the 1st of July 1661 unanimously report 'that Nicholas earl of Banbury was a legi'timate person'—and because it further appeared that after such Report the petition was on the 9th of July in the same year again heard at the bar of the House, and that after hearing counsel on the part of Nicholas, and also Mr. Attorney General, Mr. Serjeant Maynard and Mr. Serjeant

Glynn on the part of the crown, the consideration of the matter was again referred to the lords committees, who were of opinion and again unanimously reported, 'That Nicholas earl of Banbury being in 'the eye of the law son of the late William earl of Banbury, the House of Peers 'should therefore advise the king to send 'him a writ to come to parliament.'

Because it was the duty of the House to the king, as well as to the claimant, to have proceeded according to the forms and customs of parliament, either to affirm or negative these decisions of the committee for privileges, more especially as the matter thus formally and legally referred to them by his majesty was the petition of a person not only claiming to be a peer, but who had actually sat as one during the whole of the former parliament; whose writ had been withheld upon no other assigned ground than an unspecified objection before made and abandoned, and who had no other means of asserting the high inheritance of the peerage but by such petition to the king thus referred to the House of Lords.

Because the House, in neglect of its manifest duty to the king, to the claimant, and the public, deeply interested in the due administration of justice every where, did nevertheless from time to time adjourn the consideration of the same until the 9th day of December following, when, without any resumed consideration, and without any notice to the claimant, who was in possession of the decision of the committee for privileges as a legitimate person, a Bill was suffered to be read a first time declaring him to be illegitimate.

Because no reason appeared for such an unjust and unprecedented proceeding, except a pretence at that time wholly unsupported by evidence, and no where even suggested but by the preamble of the Bill itself, without a known author or mover, and which was suffered immediately to expire unsupported, viz. that the said Nicholas was not to be considered to be the son of William earl of Banbury, but as the son of lord Vaux of Harrowden; although it had appeared without contradiction when the witnesses were examined before the lords committees for privileges, and on all hands both then and now admitted, that he was born of the body of Elizabeth countess of Banbury during her coverture with William the first earl of Banbury, not being separated from him by sentence of divorce or otherwise, and although no evidence was given, or attempted to be given, that she had been living in adultery, or had committed adultery with lord Vaux of Harrowden, or with any other person whatsoever.

Because such evidence so standing recorded on the Journals as having been given before the lords committees for privileges in 1661, and upon which they reported Nicholas earl of Banbury was a legitimate person, was by the laws of the land as delivered to us by the mouths of the judges conclusive evidence of his legitimacy until encountered by contrary proof, and that no such contrary proof was given or attempted. Yet although the attorney general representing the crown agreed that he was legitimate, although he was so unanimously reported by the lords committees for privileges, and although nothing whatever appears to have been even said in the House to question the propriety of such admission and judgment, still no decision was given either negativing or affirming such Report.

Because the claimant having thus established a valid title in the opinion of the public officers representing the crown, and of the lords committees for privileges who had reported in his favor, could take no further step, and was without all remedy, until it should be the pleasure of the House to proceed to judgment—It was not for him to consider the evidence he had produced as suspicious or unsatisfactory, when it had been accepted as sufficient. It was for the House only, if it differed from the Committee, to have rejected its Report, or to have called for further proof in its support.

Because the only attempt to explain and justify so manifest a departure from all the forms and customs of parliament was by alleging, that it evidently arose from a misunderstanding of the law which then prevailed, viz. that bastardy could not be established, even in the most notorious cases of adultery, because the access or sexual intercourse of the husband and wife was at that time an untraversable and conclusive presumption, if he was within the four seas during the natural period of gestation. This was argued to be the obvious foundation of the Report of the Committee, and of the justifiable refusal of the House either to negative or affirm it; but against such justification, even if it were supported by positive proof, instead of resting upon unsupported presumption, we should equally protest:

since, if at that time this doctrine (mistakenly or not) was so generally understood, that the ablest counsel for the crown, and a committee of the whole House, the supreme court of justice in the kingdom, had accepted it as law, and considered themselves bound by it, no reason has been assigned for supposing, that it must not at the very same period have equally been binding on the House itself; and in that case it ought upon every principle of justice to the claimant either to have affirmed the Report of the Committee upon the proofs before it, or proceeded upon further proof to bastardize him by act of parliament.—In either mode of proceeding the claimant would have had an opportunity of supporting his title if the evidence before the Committee was held to be suspicious or defective; and the crown and the Lords would have had equal means of supporting the dignity and integrity of the peerage, without the possibility of working injustice, when so many witnesses to the whole transaction were at that time living, equally within the reach of the claimant and the crown. By their testimony, which must then have been clear, distinct, and positive, he might either have been declared illegitimate according to the rules of law, or if the misunderstanding of those rules had extended from the Committee to the House, it might have passed the Bill before it for bastardizing the claimant instead of suffering it to expire unsupported; more especially as it appears by the evidence of cotemporaneous statutes to have been a course frequently resorted to in those times—But when neither of these courses was pursued by the House; when no additional evidence whatsoever was either produced or called for; when it came to no adverse decision; nor proposed any statute; nor even put upon record any reason or principle of dissent from its committee, we do most solemnly protest against all inferences or presumptions now upon that part of the case, except such as arise from facts recorded in the Journals of that period.

Because it further appeared, that the House in this state of the proceedings, so far from considering the matter as concluded, or even dormant, did upon the 26th of October 1669, of itself, take notice, that the earl of Banbury's name was not in the list, by which the Peers were called; and ordered it to be referred to the lords committees for privileges to examine why his name was left out, he having formerly sat as a peer in the House—Which committee so appointed, reported no other reason than that sir Edward Walker, Garter, &c. had mentioned a certificate of an under herald, not duly made or authenticated, according to the forms prescribed by the earl marshal, so as then or now to have been evidence before the House; by which certificate earl William was made to have died without issue, and because there were two parliaments in 1640 when earl Nicholas's name was not in the lists, although he was in 1640 only ten years old; and could not have been named, as he could not have been summoned—Yet, although the committee did at the same time report all the proceedings in the year 1661, and amongst them the two reports of unquestioned legitimacy which still waited for confirmation or rejection, and although it does not appear that a word was uttered by any member of the House to bring into doubt or question the justice of such decision so by their own order again brought before them, yet no judgment was given, nor any proceeding whatsoever directed.

Because it further appeared by the Journals that the earl of Banbury did thereupon on the 23rd of February in the same year 1669, present another petition to the House, and in the same manner afterwards in 1685, which petitions were as before referred to the lords committees for privileges, who again brought before the House its own former proceedings, yet still no judgment was given.

Because it further appeared by the Journals, that in the year 1692, although the House had thus for above thirty years together neglected as we conceive its most manifest duty to the king and to the claimant by refusing to come to any decision upon a claim thus brought before them in a legal form by the king's authority, and by themselves so often referred to the lords committees for privileges according to the ancient forms and customs of parliament, yet that nevertheless, when the same case did not call upon the Lords, nor even entitle them (as we shall insist hereafter) to decide upon the claim of peerage so as to affect the inheritance, but only to grant or to reject the petition of Charles earl of Banbury, son of earl Nicholas then deceased, praying to be tried upon an indictment for murder as a

peer of the realm, the House upon the very same evidence only which it had had before it for above thirty years, without coming to any decision, did then resolve that the said Charles had no right to the title of earl of Banbury.

Because upon all the matters aforesaid, (the said resolution being no bar as we shall protest against hereafter) the claimant was entitled to the judgment of the Committee, unless new evidence had been brought forward sufficient to controvert a title so supported; and for this purpose accordingly other circumstances were established not formerly in evidence, but which were not in our opinions commensurate with their objects when brought to the standard of law, which by our own consent had been erected by the judges.

Because consistently with that standard, they could only be produced to establish a judicial belief and conviction, that William the first earl of Banbury had had no access to, or in other words, sexual intercourse with his countess, by which he could have been the father of earl Nicholas, and for that purpose only, the following facts were proved, and brought in review by argument before the Committee, viz:

That William the first earl was above eighty years of age when Nicholas must have been begotten; and had been married to his countess for above twenty years without her having had any children, and that after earl William's death, she had, within a period equally forbidden by decency and custom, married the lord Vaux, in whose house at Harrowden earl Nicholas appeared to have been born.

But these circumstances, though insisted upon in debate as material to be considered, and acted on as evidence, we may altogether put aside before proceeding to others, which require far greater consideration—Because with regard to the great age of earl William, we answer that there is no authority in the law, nor any instance in any recorded or known trial, where the circumstance of age, however advanced, without proof of impotency from its consequences, or from disease or infirmity, has ever been considered by any judge, or left as a fact to any jury, as a circumstance to affect legitimacy: on the contrary Bracton expressly considers it (and was cited for that purpose before the Committee) as matter which may be legally proved, and then undoubtedly, if believed, it is decisive.

In the same manner we deny that the length of time for which a woman may have been barren after marriage can be legally considered as a circumstance to affect legitimacy, unless it be proved that from infirmity or from age she was incapable of having children: but we admit that the following facts, which were also proved before the Committee, are of an entirely different character, and which we have duly and deeply considered.

First, that king Charles the first, to induce the House of Lords to consent to an illegal precedency, conferred upon earl William by his patent, sent a message to the House whilst considering the question, asking, as the Journal records it, 'That 'the earl being old and childless might 'enjoy it during his time;' which message, though before the birth of Nicholas, being subsequent to the birth of Edward the eldest son of lady Banbury, then an infant nearly a year old, it was argued with great force, that it went strongly to shew not only that earl William was at that time considered to be childless, but that from his silent acceptance of the precedency thus conditionally yielded to him, he so considered himself.

Secondly, that though possessed of three different estates, which by antecedent settlements were intended to preserve such property in his name and family, he aliened one of them in fee to his countess, to whom he had given besides the whole of his personal estate; a second to the earl of Holland; and the third to sir William Knollys, who in the defect of children of the earl would have been entitled to inherit it in the course of descent; and that this last estate so aliened, was a royal grant for services, with a reversion in the crown, and of course not alienable, but which must have descended to earl Nicholas.

From these facts it was argued, that it was unreasonable to believe, or rather incredible, that earl William knew he had issue by his countess, who were to enjoy after him the honors of his house; and that with regard to the estate so aliened to sir William Knollys, which was not by law alienable, it was unreasonable to believe that earl Nicholas would not have claimed and enjoyed it, which it was proved he never had.

Thirdly, that on the death of earl William, he was found by an inquisition *post mortem*, to have died without heirs of his body, and that certain persons named in

it were his heirs: from this fact also it was maintained with great force, that as the crown had a special interest in such inquisitions during the existence of the feudal tenures, and as it was manifest that deeds which must have been in the possession of the family had been examined by the jury, it was not reasonably to be believed, but rather incredible, that such an inquisition could have been found, if the children of the countess had been visible and known, and received as the children of earl William deceased.

Fourthly, that though there was indeed another inquisition eight years afterwards, proceeding from a due authority, as being for property in another county, and which found that earl William had left Edward his son and heir, yet it was argued that as it found only the small insignificant property of the Bowling Place at Henley in Oxfordshire, such proceeding by inquisition was by no means necessary, and that as such property if disputed might have been recovered in a court of law, it ought to be considered as a fraud to support the spurious descent of the children of lady Banbury, brought forward as it was alledged after her husband's death; by getting rid of the powerful presumption arising from the first inquisition immediately upon his death.

Fifthly, that by a deed to which lord Vaux, lady Banbury then his wife, after earl William's death, and lord Salisbury, and lord Howard, very near relations, were parties, and which was made to settle estates of lord Vaux on earl Nicholas, he was, though stiled in the deed earl of Banbury, described as theretofore known by the name of Nicholas Vaux; from which it was argued that he had been considered by lady Banbury herself, and by other near relations as the son of lord Vaux, and not of earl William, a presumption strongly fortified as was contended by the settlement in question.

From all these accumulating facts and circumstances, it was argued that there was sufficient evidence before the Committee to establish not only that lady Banbury was living in adultery with lord Vaux when her children were begotten, but also, and without which the rule given by the judges could not be satisfied, that earl William had no sexual intercourse with his countess by which he could have been the father of her children.

Lastly, to invest these circumstances with a weight not intrinsically belonging to them, resort was had to arguments of length of time upon all questions of inheritance. But whilst we acknowledge the soundness of the presumptions which the law has in that respect established, we not only reject them as inapplicable to the present question, but maintain that length of time divests the circumstances above relied on of all their force and their effect.

Because all presumptions from length of time depend upon a principle which is founded upon the very nature and character of man, viz. that in a country governed by law, and where impartial justice is so universally administered, it is to be presumed that every man will enjoy what is his own, and that they who for a great length of time have not clothed their rights with possession (without being able duly to account for it) either never had such rights, or had for some cause or consideration released or abandoned them.

In cases therefore where property depends upon conveyances and titles, positive statutes of limitation have been by the legislature most wisely enacted, and in cases of incorporeal rights to which these statutes do not reach, the judges have by analogy introduced the soundest rules of evidence, which by degrees have ripened into rules of law, to protect property and rights against unjust invasion when time may have destroyed all the means of resistance or defence.

Because it was therefore with the utmost surprise that in accumulating the circumstances just recited, and indeed throughout the whole debate we heard it maintained that the claimant's case ought now to be received with every possible jealousy and caution, because the grave had swallowed up all the witnesses who might in other times have opposed it by their testimony: but against this argument not only in fairness to the claimant, but for the preservation of the universal and immutable rules of justice we solemnly protest.

If the claimant indeed had not brought forward his claim when it was first interrupted; if he had not submitted it to the only tribunal which had jurisdiction to decide it; or if that tribunal when appealed to had in the first instance, and whilst witnesses to the transaction were living, given judgment against him which though never confirmed so as to become conclusive, had never been reversed; we should have considered the matter to be nevertheless concluded.—But when on the contrary it appears beyond all controversy

that the claimant did bring forward his claim of right, at the earliest period, and when it was first interrupted; that that claim was not only twice adjudged in his favour by the lords committees for privileges, the only tribunal which by the forms and customs of parliament had jurisdiction to examine it; when the evidence given before that committee was not only found sufficient by it, but was so admitted by those public servants of the crown who were appointed to contest his title; when those judgments of the committees for privileges were not only not reversed, whilst witnesses were living, who might have supported them, but were not impugned by either evidence or argument, when repeatedly brought before the House; we protest against the application of length of time as an objection; since we find the claimant out of possession, not because he had not appealed to a competent tribunal, until witnesses were dead who might have opposed his title, but because whilst witnesses were living, the tribunal to which he had appealed, and which was alone competent to the decision, had, contrary to all precedent, and to every rule and principle of justice, pertinaciously refused to decide.

Because if in 1661 earl William's great age, the King's Message to the House that he was childless, the first inquisition to the same effect, (even if the second had never existed), the conveyances of all his hereditary property without notice of his children, the non-claim of earl Nicholas, and the settlement upon him by lord Vaux, describing him as sometime or other bearing the name of his family; if all these circumstances had been urged against him at that period, we might admit without danger to the argument, that they might have been thought sufficient to repel the presumption of legitimacy, until sufficiently contradicted, or explained by the claimant; or until intercourse between earl William and his countess had been proved as a fact, after the legal presumption of the fact had been overthrown. When the case was quite recent, and the character of such circumstances must have been capable of scrutiny and explanation with the utmost certainty and truth, it might fairly be considered, that both law and reason would require them to be explained; but we contend that both reason and law must equally pronounce that when time has rendered all proof impossible, it is sufficient that they are capable of explanation; since by facts they can no longer be explained.

As to the King's Message, the claimant is now entitled to say that earl William, to maintain an untenable precedency, which would have been lost to him, even for his life, if the birth of earl Edward, then only an infant had been made public, he might for that reason, however dishonourably, have concealed Edward, and afterwards Nicholas, during his life, which would terminate the motive; and that such concealment led to the first inquisition, corrected by the second, when the cause of the concealment was at an end, and that as both the inquisitions were equally supported by the oaths of witnesses, fraud, at such a distance of time, cannot justly be presumed.

As to the conveyances, he is entitled to say, at this distant period, that earl William might have been pressed by incumbrances to alienate all his property, but which cannot now by any possibility be investigated; or that though he had had access to his countess, he might have believed, or suspected, her commerce with lord Vaux, and that his mind was thus aliened from his children: and as to the non-claim of the unalienable estate he is fully entitled now to answer, that the very objectors to his title make it the strength of their argument against it that no opposition could in former times have been raised to it in the courts whose judgments depended as now upon the ultimate decision of the House of Lords, before which court he repeatedly brought the claim of the earldom which he held by the very same title as the estate.

Because we have already said, and we repeat that the force and value of these explanations cannot now be put in the scale against the presumptions to which they are opposed; it is enough that they are possible, consistently with the facts on which the contrary presumptions are erected, since a length of time so unjustly objected against the claimant has rendered it impossible to arrive by legal testimony at the facts.

Because in whatever manner these explanations ought to be received when opposed to the circumstances from whence the adverse presumptions have been derived, it cannot possibly be denied that all the circumstances so accumulated, or any circumstances whatsoever would be laid prostrate before the proof of actual access, from which proof, by length of time, the

claimant is also utterly cut off. The circumstances relied on even unexplained, could raise no other presumption than that of concealment; a presumption besides against the evidence in 1661, since the witnesses denied that they knew of earl Nicholas being concealed or any cause of concealment; in which they might have been contradicted by hosts of living witnesses if their testimony had been false.

Because concealment, even if it could now be justly presumed from circumstances against the proof at the original period when it ought to have been established, could only repel the primary presumption of access, and could by no rule of law prevail against the fact of actual access.—Such a doctrine was never held nor even attributed to lord Hale nor to any other judge, and although earl Nicholas's counsel were not called upon in 1661 to prove it before the committee, yet as far as the evidence extended, access rather than the contrary, ought now to be collected from it; since it was sworn by Mary Ogden, and not contradicted; that earl William visited lady Banbury—she said, I know not whether earl William knew that his countess lay in, but he visited her; and to another question she answered, that the child was carried ordinarily up and down the house. Surely these answers (giving credit to the witness for honesty) which cannot now be disputed, their meaning not being changed by further examination, must be taken to have meant such visits from which the witness supposed he might have known of the delivery, though she could not swear that he did; and if he might have known of the delivery he might have seen the child which was carried publicly about the house.

Because against such evidence by living witnesses, accepted for any reason as sufficient in 1661, we protest against the accumulation of the circumstances relied on, at the distance of a century and a half, to raise the presumption even of concealment, much less of non access, when the claimant from no laches of his own, but by the acts of the very court which has now rejected his title, has been prevented from the possibility of proving the fact which it is admitted if proved would totally destroy their force and their effect.

Because the Resolution of the House of the 17th of March, 1692, that the petitioner Charles Knollys, who was the son and heir of the said Nicholas, had no right to the title of earl of Banbury, was not a conclusive bar to the present claimant; inasmuch as it was not a claim to the inheritance of the peerage brought forward by petition to the king, and referred by his majesty to the House of Lords, according to the ancient forms and customs of parliament; but a petition only by a person who considered himself as a peer, to be tried as such, upon an indictment for murder, then depending against him; the rejection of which, though it might be conclusive against him personally as to the prayer of such petition, could not affect the succession so as to conclude his posterity.

Because there is no precedent upon record, of any claim of peerage having ever been decided, except upon petition to the crown referred to the House of Peers, according to the ancient customs and forms of parliament; and because the law of the land, which is the birthright of the subject, and which cannot be over-ruled by any privilege of the Lords (when not duly exercised) gave judgment against this Resolution of the House.

We do not question that it is the privilege of the House to decide conclusively upon claims of peerage; we only contend that this privilege ought to be exercised according to the forms and customs of parliament, and that the crown, which is the fountain of that high dignity, has a constitutional claim, that the forms and customs of parliament should be preserved in the decisions of the Peers.

Because the judgment of the Court of King's-bench, if erroneous, might have been reversed upon writ of error by the Lords themselves, the authority of whose resolution had been questioned by it; but although the House, in the same temper which had unhappily characterized all its proceedings (at least as we view them) upon the same subject, irregularly questioned at its bar the lord chief justice Holt and his brethren concerning the reasons of their decision, it received no other answer from those truly great and eminent judges, than that their judgment was only open to be corrected by the forms of the law; and it stands at this day uncorrected and unreversed.

Because the Lords by their own authority, or by address to his Majesty, might have directed the attorney general to bring the judgment before them for reversal, as unduly bringing their resolution into question.

Because if the resolution of the House in 1692 ought not to be held conclusive against the inheritance of this peerage, it follows that it never could become so by the Resolution of 1697; which amounted to nothing more than that the House put that conclusive construction upon its own former proceeding; but if the Lords had no jurisdiction by the law of the land to come to the first resolution, the second, which was only to declare its construction, must of course fall to the ground.

We acknowledge, and will assert as peers, the authority and conclusive character of all judgments of the House upon such a question duly entertained; but for that very reason, we feel ourselves bound upon our honours to be the more jealous to confine them within the rules of law.

Because the Resolutions in question of 1692 and 1697 were not considered as a conclusive bar to the present claimant, either by the House in its preliminary proceedings, nor by the Committee in the debates leading to its final report. The late Attorney General* by his learned Report to the King did not consider the claim to be concluded, and his Majesty having referred the matter according to the forms and customs of parliament, the House, instead of making to his Majesty a similar communication to that made to king William in 1697, referred the petition of the claimant to the lords committees for privileges; heard his counsel and witnesses, without even hinting any obstacle to a judgment according to the result of the evidence; and because even in the final debates the resolutions were not much insisted upon as conclusive if they could be shewn to be manifestly erroneous.

Because we agree to that mode of considering the Resolutions. We found our dissent upon manifest error, and protest against the judgment of the House for the reasons which we have recorded at such unusual length; because an unreasoned dissent would have thrown no light upon the grounds of a decision of vital importance in its consequence to the inheritance of the peerage, and because it would have been unworthy to have discussed it partially, so as to bring into discredit the justice of the House, whose decisions it is our duty to reverence and to support.

(*Signed*) ERSKINE,
EDWARD,*
WILLIAM FREDERICK,†
AUGUSTUS FREDERICK,‡
NELSON,
ASHBURTON,
PONSONBY,
HASTINGS,
HOOD OF CATHERINGTON,
DUNDAS.

* Sir Vicary Gibbs.

STARCH BILL.] Upon the motion of the earl of Liverpool for the second reading of this Bill,

The Earl of *Ormond* moved, that the Petition from the starch manufacturers of Kilkenny be read. The Petition was accordingly read, in which the petitioners stated the loss and injury which would arise from the sudden passing of this Bill. The noble earl next moved, that the petitioners be heard by their counsel at the bar.

The Earl of *Liverpool* shortly stated that this was a measure which was resorted to, to prevent the great injustice which would result to the manufacturers of starch, either in Great Britain or in Ireland. It was the plan of the government to have prohibited entirely the manufacture of starch from articles of food in both countries; but it was afterwards found that great injury would result to the linen trade of Ireland, if the prohibition should extend to the manufacture of starch in that country. It was then in contemplation to take off the prohibition in that country, but providing that there should be no exportation to England, for without this provision there would have been manifest injustice to the English manufacturers. At length, however, a doubt had arisen whether a law made to that effect would not be a violation of the articles of the Union, and therefore it was now considered, under all the circumstances, necessary to introduce this Bill for the purpose of repealing the acts of prohibition in both countries. Of this he did not perceive how the petitioners could complain, for without a measure of this nature, or one which should prevent the exportation to Great Britain,

* His Royal Highness the Duke of Kent.

† His Royal Highness the Duke of Gloucester.

‡ His Royal Highness the Duke of Sussex.

great injustice would be done to the manufacturers in this country.

The Marquis of *Lansdowne* never witnessed a measure of greater oppression on the part of the King's ministers. By their want of foresight and knowledge, a whole class of people were induced to speculate upon the faith of the legislature and the King's government, and now they were to be turned round by the introduction of a different measure, and all their undertakings, founded upon that faith, were to be rewarded with loss and ruin to themselves. He never witnessed so much confusion and tergiversation, as had attended the proceedings of the King's government upon this subject. Last August they thought it expedient to adopt a measure of prohibiting, in general, the manufacture of starch in both countries—in the beginning of the present session they proceeded to a new measure, on account of finding that much injury would result to the linen trade of Ireland. They took off the prohibition of the manufacture there, but introduced a prohibitory clause, to prevent the exportation. They again found out the inexpediency of their plan, and they again resorted to a different measure, when they ascertained that such a law would be derogatory to the articles of the Union. They now, after so much ignorance as to the consequences of all their various measures, proposed one to bring the subject to the same place from whence they set out with it in August. Had not the manufacturers a right to form their conduct upon the measures of government? Many of them had speculated and embarked their property in the manufacture of this article, relying that a law made in January would not be repealed in March. On the faith of government one individual had engaged to the amount of 30,000*l.* in that speculation, which was now in this country, but which would not be sold if this sudden repeal should be made by parliament. Great loss would arise to these people, not on account of their own conduct, but through the want of foresight in the government. At least he did trust, that if the Bill were agreed to, their lordships in the committee, would order the insertion of a clause, for postponing the period of repeal to the distance of two or three months, or otherwise that indemnity should, in some way, be afforded to those who should become sufferers on account of the measure.

The Earl of *Clancarty* contended, that the manufacturers in Ireland had no right to complain of the conduct of government. The noble marquis's reasons of blame were as applicable to parliament as to the King's ministers. Besides, when the first measure was proposed, it was provided that it should only extend to six weeks after the commencement of the next session of parliament. It was, therefore, for these manufacturers to speculate upon their own responsibility, and he did not perceive upon what ground they could petition for a postponement of this measure, or indemnity for their losses. They speculated upon injustice to others; if they were injured, it was their own wrong, and if they had suffered, their sufferings must fall upon their own heads.

Lord *Holland* asked how the Irish manufacturers could possibly foresee that they would be speculating to their own loss, when they had the authority of government and parliament for their speculations, and when ministers themselves did not foresee that the present measure would become necessary.

Lord *Redesdale* contended that the Irish manufacturers in looking to an export to this country, were speculating upon injustice towards the British manufacturers, and therefore were not entitled to any compensation for their loss.

Lord Holland and the marquis of Lansdowne expressed their surprise that the noble and learned lord should accuse the Irish manufacturers of injustice, in speculating upon the faith of an act of parliament.

The Earl of *Darnley* thought, that if proof were adduced of a sufficient quantity of starch being in the country to last till next harvest, there would be no necessity for the present Bill.

The Earl of *Liverpool* denied that the present petitioners could resort to any such proof, as they could merely argue on behalf of their own interests.

The Earl of *Clancarty* contended that the Irish manufacturers had sufficient notice that no export to this country would be allowed.

After some further conversation, the motion for hearing counsel was negatived, and the Bill was read a second time.

HOUSE OF COMMONS.

Monday, March 15.

The Princess of Wales.] Mr. *Whitbread* rose and said:—Sir, I wish to ask a question or two, on a subject which I had

hoped the discussion in this House, in the week before last, had set at rest for ever. A tumult of indignation and disgust has, however, been since excited in the public mind, by the publication in newspapers, notoriously under the influence of government, of various documents on the subject, as well as of rumours of communications, in which the noble lord opposite and myself are personally concerned. These circumstances induce me, as they must naturally induce all the world, to suppose that matters cannot rest as they are, but that they must soon be brought to an absolute crisis. The first question that I wish to ask is, whether instructions have been issued by his royal highness the Prince Regent, under advice, to the law officers of the crown, to prosecute lady Douglas for perjury? I am also anxious to ask, whether the noble lord opposite knows—and if he does not, whether any other member of this House knows—if, in the interval between the 12th of February and the 5th of this month, lady Douglas was examined as a credible witness, by the Solicitor of the Treasury and a magistrate, in the presence of sir John Douglas: and if that examination still continues; or if any other examination is going on, at the present moment, into the conduct of her royal highness the Princess of Wales? When I have received an answer to these questions from the noble lord, or from any other member of this House, I shall then give notice of a proceeding that I mean to propose to the House of Commons on the subject.

Lord *Castlereagh*. I am sure the House will feel that I should essentially depart from my duty, if I were to resolve any of the questions proposed by the hon. gentleman, until I know the nature of the proceeding which it is his intention to recommend to this House to institute. I shall certainly decline doing so; and the more especially as the hon. member has been pleased to say, that he conceives matters are approaching to a crisis. I desire, therefore, to know the nature of the hon. gentleman's intended proposition.

Mr. *Whitbread*.—I can have no possible objection to comply with the request of the noble lord. My opinion distinctly is, either that her royal highness the Princess of Wales should be brought to trial, or that lady Douglas should be prosecuted for perjury. Her Royal Highness came down to this House, and threw herself on the wisdom and justice of parliament. The issue of the discussion which, in consequence, took place here, notwithstanding the precautions that were taken on the subject, is known to all the world. The declaration of the noble lord, as to the innocence of her Royal Highness, is also known. It is also known to all the world, that sir John Douglas waited on me, and on the noble lord, in consequence of the reports of that discussion which appeared in the public prints; and our answers, at least my answer, although not communicated to any one by me, has reached the public in a similar manner.* Sir John Douglas informed me, that he told the noble lord that he considered his a case of great hardship, for that he and lady Douglas had been actually examined as credible witnesses, shortly before the period at which he understood the noble lord had denounced lady Douglas as a degraded and perjured person; that those examinations had been carried on by a magistrate, in the presence of the Solicitor for the Treasury; and that they were still persisted in. Sir John Douglas also inti-

* The following is a copy of the Note from sir John Douglas to lord Castlereagh, previous to the interview sir John had with his lordship, in consequence of his speech in the House of Commons, on Mr. Cochrane Johnstone's motion.

"Major general sir John Douglas requests to know from lord Castlereagh, as a man of honour, whether he, in his place in the House of Commons on Friday evening, declared his wife to be a perjured person, and upon what ground he founded his accusation."

His lordship's Note to sir John, in answer, was as follows:

"Lord Castlereagh deems it his duty to decline giving to major general sir J. Douglas any explanation of proceedings in which he has felt himself obliged to concur, when acting by his Majesty's command, in discharge of his functions as a privy counsellor, or in the explanation of them to the House of Commons."

A similar Note was sent by sir John to Mr. Whitbread with the same view, to which he returned the following Answer:

"Major-general sir John Douglas's question to Mr. Whitbread is founded upon words attributed to him to have been spoken in his place in parliament: Mr. Whitbread is therefore under the necessity of declining all answer to that question."

mated to me, his intention of approaching this House; and I told him, in reply to that intimation, that I was sure no member of parliament would decline presenting his petition. With respect to the motives by which I am actuated in inquiring, whether his royal highness the Prince Regent has, under advice, instructed the law officers of the crown to prosecute lady Douglas for perjury? I must first observe, that I am sure, in the opinion of all the world, her royal highness the Princess of Wales, must be esteemed innocent of any imputed criminality. I am sure she must be so in the opinion of the noble lord, and of the administration of which the noble lord forms a component part; because, if that administration entertained any idea of her Royal Highness's guilt, they would not have allowed that which has transpired to pass to the public, through the communication of a newspaper; but they would have advised a message from the throne to be sent to parliament on the subject. Sir, it would have been the bounden duty of ministers to have given this advice. Peculiarly and delicately situated as his Royal Highness is with regard to this subject, it would have been incumbent on them to have given this advice, had they entertained the least suspicion that her royal highness the Princess of Wales was justly liable to any imputation of actual criminality. Under these circumstances, the motion which I now give notice that it is my intention to make, will be for an Address to his royal highness the Prince Regent, praying that he will be graciously pleased to give instructions to the law officers of the crown to prosecute lady Douglas for perjury, on such parts of her testimony as the Commissioners of 1807 declared (to use their own words) appeared to them to render her justly liable thereto.

Lord *Castlereagh.* The hon. gentleman has very candidly stated the nature of his intended motion, and the reasons by which he is induced to take the step that he means to adopt. I must as frankly declare, that I do not consider myself bound in duty to answer the hon. gentleman's question, until the subject shall be brought regularly under the consideration of parliament.

Mr. *Whitbread.* The noble lord has, no doubt, satisfied himself with respect to what he conceives to be his duty, both to the crown and public. But, Sir, I have called on any other member of this House who may be aware of the facts, to state them in reply to my inquiry. The noble lord has declined all reply to my questions; but it does not follow that they must remain unanswered. I repeat them. Have the law officers of the crown been instructed to prosecute lady Douglas for perjury? Has lady Douglas been examined as a credible witness between the 12th February and the 5th March, the last being the day on which the noble lord characterised her ladyship as a perjured and degraded person! If the noble lord does not feel competent to reply to this last question (for I must inform the House that sir John Douglas told me, that on apprising the noble lord that lady Douglas had been examined yesterday se'nnight, the noble lord assured him, that he had no knowledge of it), I ask, in the absence of information on the part of the noble lord, if any other member of this House knows whether on or since the 5th of March, any examination of lady Douglas, touching the old matter, or involving any new allegations of criminality, have taken place? If I receive no answer from the noble lord, who, it seems, thinks it his duty to give no answer, or no answer from any other member, I must content myself for the present with the consciousness of having done my own duty in making the inquiry; and with declaring that on Wednesday I will execute the purpose which I have already announced to the House, of moving an address to his royal highness the Prince Regent, praying that he will be graciously pleased to give instructions to the law officers of the crown to prosecute lady Douglas. Sir, I do this, being perfectly certain that the public mind cannot bear to be contaminated as it has recently been—that it cannot continue in the ferment which the publications to which I have alluded have excited, and that it loudly demands that if her royal highness the Princess of Wales be guilty, she shall be brought to trial—if innocent, that the witnesses against her shall be punished for their perjury.

Lord *Castlereagh.* Sir, I will not allow any observations made by the hon. gentleman to tempt me to depart from the course which a view of my public duty has prescribed to me. Much less should I be warranted in such a departure by any publications for the nature or tendency of which ministers are not answerable. As to the public feelings that

may have been excited by the recent disclosures, that is a burden which must rest on the shoulders of those by and in whom the disclosures originated. The hon. gentleman himself has deeply to answer on this subject. It was he who first read in this House a garbled extract of the documents connected with the case. Sir, he ought to have read all those documents or none of them; and if any injury should arise from the disclosure, of that inconvenience the hon. gentleman is himself the author.

Mr. *Whitbread.* It is impossible for me, Sir, to abstain from defending myself against the imputation of the noble lord. The noble lord says that I read to this House a garbled extract of the documents. That which I read was the Minute of the Cabinet of 1807, of which the noble lord was a member, and to which Minute the noble lord's name is appended. If this be a garbled extract of evidence, I have not hitherto known what a garbled extract of evidence is. Being in possession of this document—a document printed by Mr. Perceval—and in the possession of hundreds as well as myself, I thought it necessary to read it to the House of Commons on an occasion to which it was so peculiarly applicable. But, Sir, is the reading of this Minute of a Cabinet, recording a verdict of acquittal of her Royal Highness, to be compared to the publication of such evidence as, notwithstanding that recorded verdict, has a clear tendency to criminate her Royal Highness? This evidence has been communicated to the public through the medium of two newspapers—the one The Morning Herald, the other The Morning Post; both issuing from the press on the same day. In the latter of those papers the evidence is accompanied with certain comments; as if her royal highness the Princess of Wales were amenable to the tribunal of the editor! the other paper it is well known is the property of a person (sir Bate Dudley) who has lately received a titular distinction, and who has the honour of enjoying a familiar intercourse at Carlton House. Sir, the noble lord at the time that I read the Minute of the Cabinet in question did not complain of my doing so——"

Lord *Castlereagh.* Yes, I did.

Mr. *Whitbread.* Did you? I beg pardon; I do not recollect it; it has escaped me. But, Sir, there is a material difference between reading such a document, and editing publications which, after an acquittal, go to load the person who has been declared innocent with ignominy. Sir, I have not been the adviser of her royal highness the Princess of Wales, in the publication of her original letter to his royal highness the Prince Regent. In a subsequent letter of her's, which has also been published, her Royal Highness disclaims all knowledge of the publication of the former. She has, however, come down to parliament, desiring to be either treated as innocent, or proved guilty. That she cannot be the latter, I repeat that I have the strongest reason to be assured, from the circumstance of no message from the throne having been presented to this House on the subject.

Lord *Castlereagh.* I now know what the hon. gentleman's views are. I may be allowed to say, in explanation, that on the occasion of the discussion to which the hon. gentleman has alluded, I did most distinctly complain that he garbled—I do not mean to use the word in an offensive signification—but that he garbled the statement of the proceedings relative to her Royal Highness. For, what did the hon. gentleman do? He brought forward the Minute of the duke of Portland's Cabinet of 1807, without putting the House in possession of the proceedings of the preceding cabinet; thereby creating an impression which would not have been produced had the whole been submitted to the House. The proceedings in the Portland cabinet are intelligible only as founded on the proceedings of the Grenville cabinet, to which they advert, and which they confirm. The hon. gentleman has also had recourse to an old tactic, of charging government with unfairness, because documents and transactions have appeared, from what quarter it does not seem, in particular newspapers. Sir, I repeat, that the hon. gentleman could not read in his place the Minute of the Cabinet of 1807, without creating an impression which the context would not justify. In support of this assertion, I refer to the Minute of the Portland Cabinet; and I only beg the House to bear in mind, that it confirms the declaration of the preceding cabinet, in as far only as by that cabinet it was declared that no legal charge of criminality could be substantiated against her royal highness the Princess of Wales. If the hon. gentleman did not mean that the whole transaction should come out, he ought to have

abstained from reading that Minute. Whence her Royal Highness derived the advice under which she has proceeded I know not; but I am intrepid in maintaining this, that antecedently to a partial disclosure, calculated, as I contend, to make an unfair impression, no attempt was made from any other quarter to lead to a disclosure of the circumstances of the transaction. Those alone who brought out that garbled statement, for the purpose of making a false impression, are answerable for the consequences. On the hon. gentleman's individual head be the consequences.

Mr. *Whitbread.* Be it on my head! Be it on my head, that I attempt to vindicate her royal highness the Princess of Wales;—be on my head the responsibility of all that I have done, and be on the heads of others the responsibility of all that they have done; and be on the head of the noble lord the responsibility of abstaining from making any answer to the questions which I proposed to him. Sir, we all remember what the late Mr. Perceval said on this subject; and what the Attorney-General said, and what the noble lord said here the other night. Are those expressions to be retracted? I trust, Sir, there is no serious intention now of imputing criminality to her Royal Highness? And yet the whole effect of that which has been published in the newspapers since the declaration to which I have alluded is to impute criminality to her Royal Highness. The noble lord has not chosen to satisfy me on the subject of any examination of lady Douglas since the 5th of March. I take it for granted, that when I make my intended motion on Wednesday, I shall obtain an explanation on that head.

Lord *Castlereagh.* I distinctly deny, Sir, the accuracy of the hon. gentleman's statement with respect to myself. I never made any declaration of the innocence or the guilt of her royal highness the Princess of Wales. We were not a competent jurisdiction to make such a declaration. What I stated, was distinctly that the evidence as submitted to the Portland cabinet, so far as it went to criminate her Royal Highness, was either contradicted by other evidence, or was not in itself entitled to credit. I did not attempt to pronounce on her Royal Highness's guilt or innocence; for I repeat, that I did not consider that we were a competent jurisdiction for that purpose. On the discussion on the subject, I complained of the false impressions which the hon. gentleman must produce by reading garbled extracts of the documents. With respect to any further explanations, I shall reserve them till the subject shall come properly under the consideration of the House.

Mr. *Whitbread.* The noble lord still talks of false impressions. I am willing that the whole responsibility of what I have done should fall on myself. I certainly did give an impression of the innocence of her royal highness the Princess of Wales, by reading what appeared to me to be a complete acquittal of her Royal Highness; and not a cabinet minister in this House dared to deny the accuracy of that impression. A right hon. gentleman who was a member of the cabinet the minute of which I read to the House (Mr. Canning) made a complete avowal of his conviction of her Royal Highness's innocence. I appeal to you, Sir, whether the noble lord himself did not declare that if any criminality attached to her royal highness the Princess of Wales, the intercourse between her Royal Highness and the Princess Charlotte would have been, not restricted, but prohibited altogether?

Lord *Castlereagh.* The hon. gentleman says he is perfectly ready to take on himself the responsibility. All I maintain is, that he is not justified in charging generally on others the effects of that unfair impression which he himself first made.

Mr. *Whitbread.* Was an impression of her Royal Highness's innocence derived from a cabinet minute unfair?

Lord *Castlereagh.* The cabinet did not decide on her Royal Highness's guilt or innocence; but only confirmed the minute of a preceding cabinet.

Lord *Milton* rose and was about to speak on the subject, when—

The *Speaker* observed, that there was no question before the House.

Lord *Palmerston* moved that the order of the day be read, for the House to resolve itself into a committee on the Mutiny Bill.

Mr. *Wynn* spoke to order. He conceived that his noble friend (lord Milton) was in possession of the House.

The *Speaker.* All I have to say is this: I waited with considerable pain during a conversation protracted to an unusual length by circumstances unquestionably of an important and extraordinary nature. That conversation terminated, I turned to a noble lord, who I knew had public busi-

ness to bring forward, and whose turn was on the paper. The House will now do whatever it feels disposed to do.

Lord *Palmerston* repeated his motion.

Lord *Milton* expressed his surprise that the noble lord (Castlereagh) should say one thing one day, with respect to her royal highness the Princess of Wales, and say another thing on another day.

Mr. *Bankes* rose to order. He humbly conceived that a conversation so properly terminated ought not to be renewed.

Mr. *Whitbread* also spoke to order. He was sorry to differ from his hon. friend. Nothing appeared to him more proper than that his noble friend, if he thought Wednesday too long a delay for the motion respecting which he (Mr. Whitbread) had given notice, to resist the order of the day moved by the noble lord, with a view, if he chose it, of moving on the subject *instanter*.

Lord *Milton* said, he rose to move an amendment. He then proceeded to express, with much warmth, the disgust and indignation which had been excited in his mind, and which he thought must have been excited in the mind of every other gentleman, by the contents of the newspapers for the last two or three days. The noble lord had dared to draw a parallel between the reading of the Minute of Council by his hon. friend, and the publication of those revolting details with which the feelings of the English nation had lately been insulted. Were these libels, these pollutions, fit to be laid before the public? Would they not instil their poison into the minds of the young and inexperienced—of our wives and daughters? He, for one, should say, the responsibility, the consequences of this measure be upon the heads of those who had advised, who had planned the publication of these papers, who had dragged into the light of day such scenes of iniquity. The noble lord before he sat down moved an adjournment, which not being seconded, the House resolved itself into a committee on the Mutiny Bill.

Mutiny Bill.] The House, on the motion of lord Palmerston, having formed itself into a committee on the above-mentioned Bill, his lordship proposed some additional clauses for the punishment of crimps, and other persons, who made it a trade to decoy, deceive, and rob recruits and veteran soldiers in various ways. These clauses were approved of by the committee, and added to the Bill.

Captain *Bennet* moved to insert several clauses relating to the infliction of corporal punishment in the army. The first clause was to make it unlawful for any general, commanding officer, court martial, &c. to inflict the punishment of flogging on any of the troops serving in Great Britain, Ireland, the isles of Guernsey, Jersey and the Isle of Man. 2. To make it lawful to sentence the troops serving abroad to receive corporal punishment, provided this punishment did not exceed 100 lashes. 3. To make it unlawful for any officers after a part of the sentence had been inflicted, to order any man to be brought out a second time to receive the remaining lashes. In the proposal to insert the last clause, he hoped for the concurrence of the Judge Advocate, who had on a former occasion declared his opinion that such renewal of the punishment was illegal.—The hon. member, after he had moved his clauses, proceeded to state, that a military friend of his having had the command of a detachment, had punished a man by ordering him into solitary confinement, and that having reported the circumstance to the commanding officer of the regiment, on his return to head-quarters, he had desired him to bring the soldier to a court-martial, in order that he might be flogged, which was declined by his friend; first, on the ground of his dislike to the system of corporal punishment altogether; and, secondly, on that of the man having been already punished for the offence he had committed. The commanding officer then said, that he would flog him if the other would not, and having immediately sent for the black book of the regiment, he found registered in it a former sentence passed upon the soldier, of the punishment awarded by which he had received only a part, and had the remnant of it put in execution on the spot.

Lord *Palmerston*, after the repeated discussions which had taken place on this question, should not trouble the House with any observations, but should feel it his duty to resist the introduction of the proposed clauses.

Sir *Francis Burdett*, having expressed his dissatisfaction at the meditated opposition to an attempt to modify a disgraceful punishment, without the total abolition of which he said he would never be content, begged to know from a right hon. gentleman on the other side of the House whether it was the intention of government ultimately to abolish it, as he had been led

to suppose it was by what had fallen from him on a former occasion. With respect to the clauses moved by his hon. friend, he conceived they were of a most reasonable nature; he did not think it should be left to the humane or inhuman discretion of a commanding officer to say whether a soldier should receive two parts, three parts, or four parts of a certain number of lashes, nor could he contemplate without disgust the power with which every unfledged ensign was invested of deciding on the criminality and liability to most degrading punishment of any veteran soldier, who might be placed beneath his command, of wresting from him, with the levity of a youth, perhaps without a cause, his honour, his character, his lasting happiness. An opinion had been delivered on a former occasion, on the other side of the House, that the practice of punishing men a second time, under the same sentence by virtue of which he had received a first punishment, should be discontinued; but he was apprehensive that this opinion had not had the weight it ought to have with military commanders; nor had he the least doubt that frequent deaths, and evils worse than death, continued to be the result of the system. With respect to the discipline of the army, it was ascertained, on the authority of able and experienced officers, that those regiments were the best disciplined in which this beastly mode of punishment was disused; while none were so lax in point of discipline, or so disorderly, as those in which it was most resorted to. The humane persons to whom he had alluded had further declared, that they never knew a bad man reformed by it, whereas they had known a multitude of good ones destroyed. In fact, how could it be otherwise? If the unfortunate person subjected to it had the feelings of a man, he could never, so long as he lived, lose the sense of it—so that it might be deemed a never ending punishment. It might, indeed, be said, that the frequency and severity of the practice had been in some degree subdued; but that was not an argument that would prove the propriety of forbearing from any further attack on a system radically vicious. And, indeed, so far from admitting the force of any argument which would go to uphold any part of it, he thought he could propose a plan which would render quite unnecessary any punishment whatsoever. It was but to adopt in the army a properly graduated scale of rewards in the ratio of merit and length of service. Such a system as this would not only have the effect of making punishment unnecessary, but would likewise remove from our view the odious spectacle which now but too frequently presented itself of men compelled to subsist upon the scanty fruits of charity, after years spent in the service of their country, in consequence of the niggard provision made by that ungrateful country for their support being totally inadequate to its object. The hon. baronet having dwelt on the manner in which the people of England were brought within the range of the system, in consequence of its being extended to the local militia, and concluded by expressing his conviction of the necessity there existed for abandoning a system which no one would venture to defend in the abstract, the warmest of its patrons contenting themselves with insisting on the inexpediency of immediate abolition.

Mr. *Manners Sutton* thought it quite impossible to get rid of corporal punishment at present. It had, however, fallen very much into disuse. Though the number of court-martials now were three times as many as formerly, the actual aggregate of cases in which corporal punishment was inflicted, was considerably less. The sentence of flogging was exchanged in two cases out of three, into that of general service: and in most other cases confinement was adopted. There was a general disposition, almost an avidity in commanding officers, to avail themselves of any mode of punishment in preference to flogging. He then adverted to some cases of peculiar hardship brought forward by the hon. baronet last year. One was, that of a poor man who had stuck pins and needles in his legs to avoid the execution of his sentence; another of some poor men who had been punished severely for marrying contrary to the orders of their superior officers; another case was that of some soldiers who were said to have had clogs fastened to their legs, and to have been compelled to walk seven or eight hours in this manner every day. Into all of these supposed cases inquiry had been made, and the accusation was found in every one of them to have been utterly groundless. As to the system of reward proposed by the hon. baronet, he would only say, that if such a system were shewn to be practicable, there was no one who would more gladly assent to it than himself, but the theory of philanthropy was one thing, and the power of making every body rich was

another. It should also be recollected, in answer to what was said of the number of persons seen begging about the streets without an arm or a leg, that there was such a thing in this metropolis as imposture. He thought the punishment of confinement in the army was only effectual, as it was the alternative for corporal punishment. The third clause proposed by the hon. gentleman opposite for preventing the repetition of this punishment, would, he thought, go to abolish it altogether; for when a man knew that he could not be brought out a second time to receive his 100 lashes, there was no fraud or artifice to which he would not resort to evade the execution of the sentence in the first instance. After again adverting to the progresses which had already been made in the suppression of flogging, he concluded by observing, that the clauses proposed by the hon. gentleman, appeared to him wholly unnecessary.

Colonel *Duckett* spoke in favour of the present system. He at the same time repelled an insinuation of Mr. Bennet, that in the militia they sometimes flogged all round. In the militia, he said, there was much less flogging than in the regulars, and yet it would be found that the discipline of the militia was superior to that of the regulars.

Captain *Bennet*, in answer to what had been said by the hon. colonel opposite, observed, that in some militia regiments, the practice was not the same as in the regiment of that gentleman; it being a practice to flog, not all round indeed, but from flank to centre. That it was the practice to call out men a second time for punishment, might be inferred from the words of the sentences of courts-martial, that the man should "receive so many lashes when and where the commanding officer shall direct."

Mr. *Whitbread* congratulated the House on the temper with which the question had that night been debated, and the progress which had been made towards the abolition of the punishment in question. About 20 years ago, when he was a young member of that House, he mentioned for the first time in his place, this practice so much to be reprobated, of bringing out men twice to receive one sentence. It was then said, in opposition to him, that it was most horrible to mention any thing of the kind in the House,—that the soldiers had by no means too much flogging,—that a lash could not be spared. Now, however, owing in great degree, to the hon. baronet behind him (Sir F. Burdett) who had brought the matter repeatedly into discussion, and owing to the interference of the right hon. gentleman opposite, (Mr. M. Sutton) the punishment was in a great degree got rid of. He should not press the point at that moment, as it was not then ripe for discussion, but he was convinced that by the silent progress of time, when the officers should find the injurious tendency of this sort of punishment, it would gradually diminish until finally abolished. The right hon. gentleman (Mr. Manners-Sutton) had said that he had heard of no instances where a soldier had been brought out to receive the remainder of a sentence which they could not bear at one time. Unless officers had grossly deceived him, (Mr. W.) this was a frequent practice, and one instance in particular he had heard, where a man after having been tried by a court-martial and acquitted was, on a reference to the Black-book by the officer who had preferred the charge against him, flogged as a remainder of a sentence pronounced long antecedently. The right hon gentleman had said, that if the bringing a man out a second time for punishment were forbidden, all possible shifts would be resorted to, to escape from punishment, as if all means possible would not, even in the present state of things, be made use of by the unhappy sufferers. This practice had, as he conceived, been pronounced by the right hon. gentleman illegal, but now it was said to be not only not illegal, but expedient, so that if that right hon. gentleman's ideas of legality remained unchanged, he would of course have introduced a clause in the Mutiny Act, authorising the practice. As to the cases of mendicity from insufficient provision, it was a deplorable sight to see men,

"With half their limbs in battle lopped away,
"Beg bitter bread through realms their valour saved."

But in many cases he agreed with the right hon. gentleman that deception was practised, and that even in cases where the men had been in reality mutilated, their sturdy beggarhood changed pity into disgust, and called loudly on the police to remove such annoyances. An hon. gentleman opposite had said, after opposing the clauses, that in regiments of militia the flogging was twenty times less, and yet offences less frequent than in the line.

This was a pretty strong fact against the practice of flogging. The hon. gentleman sat down by expressing his conviction, that as by discussion the practice had been brought low, so it would in the end be entirely destroyed.

Mr. *M. Sutton* said, that the Commander in Chief would not have suffered to pass without reprobation, any officer who had ordered a man to be brought out a second time on an old sentence. He was happy to state, that from late regulation allowing commutation to general service, flogging had decreased in militia regiments.

Sir *Eyre Coote* differed from his hon. friend who brought forward the clauses, whose motives, he was satisfied, were most humane, pure, and conscientious; but, whose ideas on this occasion, he was as satisfied, were erroneous. The present system had not been detrimental or injurious to the service; was gradually decreasing, and he could almost say, abolishing; and with that view his royal highness the Commander-in-Chief, ever attentive to the interest and welfare of the army, had issued an order last year, limiting the punishment to be awarded at regimental courts martial. The clause in the Mutiny Act that passed in 1805, obliging members at regimental courts martial to be sworn, had had the most salutary effect, and had made officers more circumspect and attentive as to the quantum of punishment to be awarded at regimental courts martial. Upon every consideration, therefore, he should vote against the clause.

Mr. *Herbert,* of Kerry, said, that in the militia regiments which had come under his experience, he had found that nothing but the terror of the lash would deter men from offences, especially in cases of inebriety.

The Hon. Mr. *Law* thought that the regulations of every army should be founded either on the principle of honour or fear, according to the character of the nation. Whatever might be necessary for some of our colonial troops, he thought the British army should be regulated upon the principle of honour, and that no such degrading punishment as flogging ought to be inflicted upon any person who had not entirely forfeited all pretensions to honour.

Mr. *Whitbread* said, that as to what had been said about the gaols being crowded with soldiers imprisoned as a punishment, in lieu of flogging, only one instance had come to his knowledge, viz. the gaol of St. Hilliers in the island of Jersey, which was owing to the prison itself being in a detestable state. He took this opportunity of mentioning the wretched state of that prison, as the unhappy debtor was there injured by this benefit to the soldier.

Lord *Palmerston* mentioned as proof of the frequency of imprisonment as a military punishment, the complaints he had received from Sussex of the gaols being full of soldiers.

The clauses were then brought up and negatived without a division, when the House resumed, and the Report was ordered to be received to-morrow.

HOUSE OF LORDS.

Tuesday, March 16.

East India Company's Charter.] Marquis *Wellesley* presented a Petition from the merchants and others concerned in the export trade of the port of London, praying to be heard at their lordships' bar, on the question of the renewal of the East India Company's Charter.

Lord *Grenville,* understanding that various petitions had been presented to their lordships, praying for a renewal of the East India Company's charter, on the same terms or in the same manner as it had previously subsisted, was sorry that he had not been present earlier, so as to have offered a few words upon a subject of such immense importance, involving considerations of deep and vital interests, not only to the commerce, power, revenue, government, and constitution of these realms, but to the peace, security, and happiness of forty millions, at the lowest computation, of people now subject to the dominion of the British crown. For any government, however framed or operating, abroad, under the direction of British subjects, was essentially and immediately under the authority of the crown and legislature of these realms. That was a point indisputable, and paramount to all other considerations connected with the question, and one to which the mere interests of the East India Company must, of course, be subordinate. That House was to consider that a period was arrived when its wisdom was called upon to provide for the security, comfort, and well being of forty millions of men, dependent on the power and confiding in the justice of the British legislature. And parliament was to legislate now not as before, but *de novo.* Not with a confined and

partial view to local benefits or mercantile speculations, but with a liberal, wise, equitable, and extensive policy, embracing all the best and dearest interests of humanity, united in one compact and permanent system, calculated to effect, insure, and preserve the prosperity of the whole empire. In pursuing that great object, it was the duty of their lordships to avail themselves of all the information they could by any means collect, and great light in the search for that information was furnished by the laudable zeal of that able and highly respectable body of men, the directors of the Company themselves. But making use of those valuable lights, their lordships would not be influenced by any blind acquiescence in them, but rather by the immutable and eternal principles of government, applying generally and universally to all countries, and involving in them important considerations of the civil government, population, revenue, arts, and industry. Much important matter for the instruction of the House would be found in a perusal of the progress of events in India from the year 1765 to the year 1784. At the latter period a termination was put to the false, fluctuating policy which had before prevailed, especially in the rate and collection of the land revenue. After long, apparently endless, disputes on Indian politics, there was at least one point in which all men then agreed, namely, that it was the duty not only of the East India Company but of government and the legislature, to fix the rate of revenue by which that country was thenceforward to be governed. Contemplating, as he did, with pride and satisfaction the beneficial tendency of that measure which he had assisted in framing, it was with deep concern and alarm that he perceived by the Fifth Report of the Committee of the House of Commons, that a purpose was entertained of altering or unsettling that equitable and salutary measure, the benefits of which had been so conspicuously exemplified in 1786, by the wise and exemplary administration of lord Cornwallis. Departing from that wise system, the court of directors had sent out orders to their servants not to be in a hurry to make the new settlements according to the arrangement of 1784, which had tended so much to the prosperity, glory, honour, and advantage of the subjects in India. He did not wish to detain their lordships much longer; but he was desirous first to point out the vast importance of the subject in question; next to shew that their lordships should not take it up according to the view of the directors, but steadily to keep in view the regulations of 1784. Another most important question was the military power in India, which, by judicious and politic means and management had attained its present formidable condition, but which by any unskilfulness or mis-direction was likely to disappoint every hope depending on it. From that subject, his lordship turned to the commerce of India, which, by the renewal of the charter in its present form, would pour all its advantages into foreign countries, to the detriment of the English merchants. That would not only be the case with respect to our settlements in India, but to China, and all the newly acquired islands; and he besought their lordships to consider the effect of the monopoly in preventing all the benefits of an open commerce between those countries and the ports of South America, which, whatever might be the result of the present contest in Europe, would, in all probability, be soon laid open to a general trade. In that case, the renewal of the charter would operate for twenty years to come as a source of commercial prosperity to foreign nations, to the prejudice and exclusion only of British merchants. He hoped the date of the colonial system of commerce for those countries was at an end. While stating thus what he thought ought to be done, he at the same submitted that full opportunity should be given for urging every argument which could be offered by those who retained an interest in preserving the monopoly. But with all the impressions on his mind which resulted from a most grave and deliberate attention to the subject, he felt himself prepared to agree in the opinions which had been expressed by his Majesty's government, which, therefore, on that occasion, should receive from him the utmost support that he could give them. He only doubted whether the scale on which they were proceeding was sufficiently extensive. He requested to be informed by the noble lords opposite, whether it was their intention to bring the subject soon before the House, as it appeared to be of too much importance to wait for the result of what might be the issue, and there appeared to be no inconvenience in bringing the question at once under the consideration of their lordships.

The Earl of *Liverpool* deemed it at present entirely unnecessary to enter into any discussion upon the points on which the noble baron had delivered an opinion. Upon some of those points, there seemed between them no difference of opinion; and upon others, but slight shades. They essentially agreed as to the vital importance, more or less, of every branch of the great and complicated subject in question. With respect to the course of proceeding to be adopted,—and in that he earnestly wished to guard against the supposition, that in whatever House this great subject might be first introduced by his majesty's government, such a proceeding could not operate as the slightest ground of disrespect towards that House, in which it did not originate—their lordships would recollect, that in all the great questions for many years past agitated in parliament, the custom was to introduce it in either one House or the other, as for instance, the question of the Union between Great Britain and Ireland, the Commercial Propositions between those two countries, and other great and important measures. He was ready however to say, that the subject in the first instance would not come before them in the shape of a Bill, in which either House would not have an opportunity of discussing the different branches of the subject without the greatest inconvenience; but would be brought forward in the shape of distinct Resolutions, by which means they would have the opportunity of considering the different parts and branches of the question separately, and any noble lord would be able to propose and introduce what he might deem necessary for discussion. The Resolutions which were considered as proper to form the basis of what was proposed, would be brought forward by a noble friend of his in the other House, in the course of a few days. It might then be considered whether or not it would be expedient that the Resolutions agitating in the other House should be made the ground of a simultaneous proceeding in their lordships' House. This, he thought, might be a very convenient mode of proceeding, with reference to the nature and course the investigation might assume in the other House. The noble baron was aware, that on the present occasion, unlike the one he had alluded to, some very strong differences of opinion existed between his majesty's government and the East India Company, and in what terms the opinions entertained by the latter on the points in question were expressed. That consideration would lead to a material difference as to the principle and course of discussion. And in that view, he thought, it would be more advisable not hastily to decide upon any particular course in that House, but to wait until they should see how the question might rest with reference to these differences of sentiment in another place. The expedient of a simultaneous enquiry on the part of their lordships, could then be more advantageously considered.

Marquis *Wellesley* professed himself generally satisfied with what had been said by the noble earl, and he approved of a simultaneous proceeding with the other House. He only requested, that when the question should be brought forward, it might be viewed in all its vast and complicated relations, not as a question of commerce or as such limited to the interests of the East India or the general merchants, but as a question of government and of empire—of empire and of government, not confined to India or to Great Britain, but comprehending and combining the interests, glory, and stability of both. The question should be met and entertained with the utmost temper and circumspection, so as not to adopt denly a notion that the monopoly was not to be renewed, nor on the other hand, that no improvement or extension of commercial privileges was to be allowed to the general merchant; but the whole of the advantages, commercial and political, adapted to the countries respectively, should be cemented together. The habits and prejudices of a people should always have influence in a plan of legislation; and though the act of abolishing the Inquisition in Spain was one of the wisest and most humane measures, as well as one of the greatest benefits that could be conferred on that country, it required much caution, much effort, and much art, to bring it about. With respect to the measure referred to by his noble friend of making the revenue in India defined and permanent, that too was his opinion and his policy; and however he might appear to differ from the directors, at one time, upon that subject, he differed only in requiring due and necessary time. Some delay was absolutely necessary to effect that security and right of property, which it was his wish and endeavour to establish. He did establish it before he departed from Fort St. George; and the

act was so eminently and solidly beneficial to the country, that he professed himself proud of it, and should be ambitious to have the record of it inscribed upon his tomb.

Lord *Grenville*, in explanation, stated, that it was not of the delay in taking time to consider of this law of settlement being extended to new provinces, but of the expressed reluctance to grant this benefit that he complained. In the Fifth Report of the Committee to which he had referred, he with regret perceived this statement, and he must repeat, that no system of taxation could be more detestable in any country, than a tax upon the abilities and industry of the husbandman. This system left to the agents of the company all the villanous oppression of the Mahometan government, and imposts were levied upon the cultivators of the ground, according to their discretion.—Adjourned.

HOUSE OF COMMONS.

Tuesday, March 16.

ELECTION BALLOTS.] The House was occupied this day, until five o'clock, in balloting for two committees to inquire into the merits of the Election Petitions from Cardigan and Youghall.

An apology having been offered to the House, shortly after the admission of strangers, for the absence of Mr. Hart Davis, who was present at the first ballot but absent at the second,

The *Speaker* said, the immediate presence of the hon. member was necessary, and intimated the propriety of any gentleman who might know where he was, of communicating to him that circumstance.

Mr. *Hart Davis* having shortly afterwards appeared in his place,

The *Speaker* addressed him, and said, that it had come to the knowledge of the House that he was absent during the second ballot that day, although present at the first. Of this irregularity, the House required an explanation, as it was in direct opposition to their standing orders.

Mr. *Hart Davis* expressed his ignorance of the necessity for his attendance at the second ballot when present at the first. He begged to apologise, however, for the impropriety of his conduct.

The *Speaker* remarked, that the apology of the hon. member was perfectly proper: it was fit, however, it should be distinctly understood, that between two ballots no member was allowed to go forth. Orders to this effect had long been established, and a compliance with them was essential to prevent the endless confusion which would otherwise arise.

THE PRINCESS OF WALES.] Mr. *Whitbread* said, it had been proposed to him, to defer his motion for to-morrow, on account of its being the anniversary of a day set apart for the meeting of a benevolent and patriotic society; but he thought the subject of his motion of such great and immediate importance, that he felt that he should best consult his duty by persisting in it. He should be ready in his place to-morrow to bring it forward, if the attendance of the House was such as to encourage him to go on; and he hoped that every son of St. Patrick, from the noble Secretary of State to the meanest citizen, would agree that the day could not be better kept, than by an endeavour to do justice to an injured woman.

FIRE-ARMS BILL.] Sir *James Shaw* rose to move the second reading of this Bill, in doing which he stated the object of the Bill to be, to force the manufacturers of fire-arms, to put their own names on the article they manufactured, and not to substitute that of other persons. He observed that the public were constantly exposed to imposition from spurious articles of this description, of Birmingham manufacture, being exposed for sale, with the names of the most celebrated London gun-smiths forged upon them, when, in truth, they had never been seen by the person whose workmanship they purported to be. The obvious consequence of this injurious practice was, that men of eminence in the line to which he alluded were often exposed to blame which they did not deserve, and their character, as first-rate workmen, became questioned, without the slightest ground. The hon. baronet then pointed out the great advantages which had been derived in the linen and other trades, by forcing the different manufacturers to put their own stamps upon the articles which they sent to market for sale, and expressed a hope that the House would see the expediency as well as justice of the Bill. The hon. baronet also quoted the opinion of judge Mansfield in support of his arguments, and adverted to a charge which had been given by that learned individual to a jury, in a case in which the name of a celebrated artist had been surreptitiously

prefixed to an article of spurious manufacture. The learned judge in that case, in dwelling on the difference between a forgery on paper and a forgery on a manufactured article, observed, that in the former case an injury could only be done in a limited degree, whereas, in the latter, the fame of the artist being exposed to question by the improper use of his name, his own hopes and that of his family might be utterly destroyed; inferring, therefore, that the latter offence was far more iniquitous than the former.

Sir *C. Mordaunt* opposed the introduction of the Bill, upon the ground, that almost certain destruction would result from its effects upon several thousand industrious manufacturers in Birmingham and elsewhere, without the probability of any advantage being derived from it by the public. Large orders, he said, were constantly sent by the London dealers to Birmingham, for the very article, of which it was now said they were the sole manufacturers, and by their express orders their names, and the word "London," were constantly affixed. In truth, all they did to stamp upon the article sterling value and unquestionable excellence, was, to give it a few ornamental touches, a little varnish, or a little bronzing. He trusted the House, under these circumstances, would not legislate upon a subject which would risk the employment of numberless skilful and valuable workmen. He added, that it was well known, that almost all the musquets for the use of the army were manufactured at Birmingham, and that the stamp of "G. R." and "The Tower" was prefixed to them. The lives and safety of our gallant countrymen fighting in Spain and Portugal, therefore, it would appear, were of no consequence, while the safety of a few gentlemen, who took the diversion of shooting, was a matter of serious import. Considering, as he did, the Bill to be wholly unnecessary, as well as, if passed, extremely injurious, he begged leave to move, "That it be read that day six months."

Mr. *Rose* thought the Bill quite unnecessary at the present crisis.

Mr. *Lyttelton* also opposed the Bill.

Alderman *Combe* spoke in favour of it.

Mr. *Whitbread* said, he should not give his vote for the Bill. He had not the slightest objection to the word "London" being stamped on guns manufactured at Birmingham; but he did think it highly improper that the names of eminent manufacturers should be used without their concurrence, as by such a course currency was given to an inferior commodity, and the public were exposed to imposition. He had heard an anecdote, which was illustrative of the objection which he had made. Some time back a person called on Manton, the celebrated gun-smith in Dover-street, and ordered him to make a double-barrelled gun in his best manner, observing at the same time, that if it was approved he should have an order for several more. The gun was accordingly made, the promised order was not however given, but the gun which Manton had made was sent to Birmingham, and three dozen were made there of inferior quality and of inferior price, which in appearance, in name, and other respects, exactly resembled the model, and these were all sent to the nabob of Oude, as the manufacture of Manton. Against such impositions as these he thought it proper the public should be guarded, but he could not accede to the general terms of the Bill before the House. He understood, that a proof-house was about to be established at Birmingham, and that this had arisen out of the present Bill; of this circumstance he was glad to hear, and had only to hope, that the Bill would be thrown out, and the proof-house erected on its ruins.

Mr. *Wynn* opposed the Bill.

Mr. *Marriott* was in favour of it.

Mr. *Peter Moore* spoke against it, and said that the promoters of the Bill had been unable, when before the Committee, to prove one instance in which they had sustained any injury from the practice of which they complained.

Mr. *Lockhart* spoke against the Bill.

Mr. *Frankland* supported the Bill. He would vote for the second reading, being convinced that by going into a committee the Bill might be rendered beneficial to the country.

Mr. *Ward* opposed the Bill, on the ground that if adopted it would induce many of the Birmingham manufacturers to settle in London, and thus augment the population of the already overgrown metropolis.

Mr. *Forbes* agreed with the hon. gentleman who spoke last.

Lord *G. L. Gower* opposed the Bill, as of an injurious tendency towards his constituents.

Sir *James Shaw* replied, and the House divided,

For the second reading 18
Against it 78
Majority against the Bill——60

HOUSE OF COMMONS.
Wednesday, March 17.

Petition of Sir John Douglas.] Mr. *Whitbread* said: I hold in my hand a Petition that I received just before my arrival in this House, which I was requested to lay before it. On perusing it I find that it is worded in a manner perfectly respectful, and I therefore told the individual who delivered it into my care, that I felt it my duty, as a member of parliament, to present it. It is the Petition of major-general sir John Douglas, on behalf of himself and Charlotte lady Douglas, his wife. I remarked that the form of the signature was not perfectly regular; but I added, that I did conceive, notwithstanding this informality, the House would receive it as the Petition of sir John Douglas, though not as the joint Petition of himself and his wife.—I, therefore, move for leave to bring up this Petition.

The question having been put, Mr. Whitbread brought up the Petition, which was read by the Clerk, setting forth:

"That the petitioners are advised the depositions which they made, upon their oaths, before the lords commissioners appointed by his Majesty for investigating the conduct of her royal highness the Princess of Wales, on or about the 1st day of June 1806, were not made in such a judicial proceeding, or before such a tribunal, as will legally support a prosecution of the petitioners for perjury upon such depositions, if false; and that the petitioners, feeling the fullest confidence in the truth of their said depositions, and in the justice of their cause, are ready and desirous, and hereby offer, to re-swear to the truth thereof, before any tribunal competent to administer an oath, which will subject the petitioners to the penalties of perjury, if proved to be false; and the petioners, therefore, most humbly pray, that the House will be pleased to adopt such proceedings as in their wisdom may be thought proper for the purpose of re-swearing the petitioners to their said depositions, before such a tribunal as will legally subject them to a prosecution for perjury, if such depositions should be proved to be false, it being the petitioners' anxious desire not to shelter themselves under any want of legal forms."

Mr. Whitbread then moved, that the Petition be laid upon the table; which was ordered accordingly.

The Princess of Wales.] Mr. *Whitbread* rose and addressed the House as follows:

Sir; when I took the liberty of proposing on the other night to the noble lord, his Majesty's principal Secretary of State for Foreign Affairs, or to any other member of the House who might be able to give information on the subject, certain questions, to which neither from the noble secretary nor from any other member did I receive an answer, I stated to the House, what I now repeat in perfect sincerity of heart (and before I sit down I trust I shall be able to prove from internal evidence), that I then hoped and believed the discussion which had taken place on Friday in the week preceding the last, had terminated those unpleasant circumstances which for many weeks had agitated the public mind. I observed in my place, towards the conclusion of that debate, that from what had fallen from the noble lord, from what had fallen from his Majesty's Attorney General, and from the concurrent sentiment of every member who had spoken, it appeared that her royal highness the Princess of Wales might be deemed, from that moment, to have received a glorious verdict of acquittal from the whole House, and in the face of the country, from all the infamous charges alledged against her. At no time am I confident in my recollection of particular words, employed by members in debate, but from the peculiar nature of the elocution of the noble lord, from some happy ambiguity of expression, I own that I am much less able to affix on any determinate positive sentiment to him (if indeed any was intended) than to any other person, who is accustomed to express himself in language more precise and definite in its application. I was then under the delusion of supposing the noble lord did assert, that by the second Cabinet of 1807, her Royal Highness was fully acquitted from every imputation of criminality. Others, I believe, were not less involved in this unfortunate delusion. I conceived that all imputation of criminality was removed. But I am informed, that the noble lord added a word I did not hear, and that he professes to have said, her Royal Highness was acquitted of 'legal' criminality only. This word has certainly escaped my recollection, and I hope

that it has not been added from the inventive memory of any other person.

When I put the question on the last night, the noble lord declared his opinion that the House had passed no verdict, either of guilt or innocence, because he maintained (and I admit correctly), that this was not a tribunal competent to decide upon the question. A verdict of acquittal from the House then, I allow, it was not; but it was a verdict of acquittal from the noble lord. It was a verdict of acquittal from every member who spoke—a verdict of acquittal, as declared by the Cabinet Minute, which I took the liberty, not improperly, to read. I was not, as imputed to me, the first person to introduce it to the public; but whether I was or was not, it appears to me still (as was stated by a cabinet minister, whom I am sorry not to see in his place, Mr. Canning), to be a verdict of acquittal from all criminality, as strong as can be conveyed by words.

So impressed, notwithstanding the family divisions and differences—notwithstanding the unhappy transactions that have occurred—notwithstanding all that has been then brought before the public, to the great grief of every thinking man in the land, I did hope; nay, I may venture to say, I am certain, that by judicious advice to both parties—by conciliation and submission from the one, and by affection and indulgence from the other (not going beyond the line which even feeling might justify), a happy period might have been put to these unpleasant and painful circumstances. I trusted that the wound was not at its crisis—that kindness would have healed both it and the public feeling, so long and so cruelly lacerated. But the conduct of the noble lord, on a recent occasion, has made me almost despair: and since I have understood from him, that when I submitted my motion to the House, he would attempt some reply to my interrogations, I shall now demand an answer. I ask him, then, Whether it be true, that those persons whom the noble lord (if my recollection does not again fail me) stigmatized in express terms as perjured and degraded witnesses, have been again examined? I have been informed, and from the mouth of sir John Douglas himself, that from the 13th of February, down to the period when the debate took place, in which the noble lord termed him and his lady perjured and degraded witnesses, examinations have taken place of lady Douglas, in the presence of her husband, as a credible and honourable witness. That the fact is so, I cannot doubt; for sir John Douglas produced to me a letter from Mr. Conant the magistrate, stating that the presence of lady Douglas was required, and that if she could not conveniently attend, he would wait on her. Sir John Douglas added, that the examination was conducted by Mr. Litchfield, the solicitor to the Treasury, in the presence of Mr. Conant and what other persons I know not. So that down to the very hour when the noble lord declared him and his wife to be perjured and degraded witnesses, sir John Douglas was under the infatuation of supposing that the ministers not only gave full credit to their testimony, but that they examined him and his wife with the view of obtaining further information against that royal personage to whom their evidence, characterized as it was by the noble lord, so materially applied. When I asked sir John Douglas, as it was natural I should, what could be the meaning of this proceeding, he related to me what had passed between the noble lord and himself, which, as every thing now is laid before the public, I observe in a newspaper now in my hand. He said that he had waited upon the noble lord, represented to him the hardship of his case, and told him that he had been so examined: if I forget not, the noble lord denied all knowledge of the examination, and sir John Douglas replied, "If your lordship knows it not, the Lord Chancellor does." Gracious Heaven! And is it come to this? Are persons united, Sir, in office for the well government of the state under circumstances of such peril and difficulty, separately carrying on secret investigations? Is one of the King's ministers alone thus darkly searching and hunting for the discovery of evidence that will destroy the innocent? Is this the mode in which affairs of state of such moment are conducted? Does not the right hand know what the left hand is doing? Does the Lord Chancellor of Great Britain lend himself to those sinister and obscure proceedings? Is it true or is it not? I demand, and the country demands, an answer. It is for the noble lord to say whether it be true or false. Sir John Douglas said that he would have redress. He would publish it to the world. He knew more, and his lady knew more than she had disclosed: the people of Eng-

land should be acquainted with every particular, since he was determined, when he was so grievously wronged, to see himself righted. I told him I was sure that any member would feel it his duty to present any petition to the House, framed in decorous language; but when I knew that these circumstances had taken place; when I learnt from such authority that an under-hand investigation was proceeding: that the searchers into secrets for the destruction of the peace and happiness of families were not asleep; that this 'delicate investigation' (as it has been falsely called, for it is, indeed, an indecent and nauseating exposure,) was still continued under the eye of the Lord Chancellor, I saw that a crisis must arrive, and that some step must be taken to do justice upon the guilty. However anxious a man might have been, after the proceedings on a former night, to advise a dignified approach by her Royal Highness to the Regent, under the consciousness of acquitted innocence, in the hope that she would be met by the Prince with feelings of affection and kindness, yet after the disclosure of such proceedings, it was impossible that such advice should be given.

But, Sir, I have heard more. I have heard that even since the 15th of the present month, examinations have been going on: that emissaries have been dispatched to pry into every paltry circumstance of the life and demeanour of the Princess of Wales since her arrival in this country. That the Solicitor of the Treasury, and other agents, have been set to work to ferret out evidence in every dirty corner of the metropolis; to inquire of every human being that might by possibility have seen or heard, or might not have seen or heard, but will swear to circumstances he never saw, and depose to facts he never knew. Did the noble lord know of this? Did the Lord Chancellor know of it? If not, who are the secret advisers of the Prince Regent? These blind inquiries too, are not only secret from the public, but secret even from the noble lord: did the Chancellor undertake to provide a case? to hunt for evidence to support the charges? is it allowed for one only to be art and part in this offence, against justice, decency, and morality? Since then, the noble lord is excluded, let me ask, are there no secret advisers—no persons unseen and unknown? Are there no individuals, not recognized by the constitution, and concealed from the cabinet ministers, who are conducting these proceedings? If there are, and the noble lord has discovered them, is it not his duty to inform the House and the Prince Regent of the fact—has the noble lord any option or alternative but to determine no longer to serve a master who is secretly served by other and irresponsible advisers?

Leaving these considerations, however, at present, I beg to call the attention of the House to the matter I am now about to mention. Under all these circumstances, after the lapse of a week from the period of that discussion wherein I understood it to be admitted, on all hands, that the Princess of Wales was completely acquitted of all criminality whatever, in two Newspapers, simultaneously, appear the depositions of sir John and lady Douglas, whose testimony the noble lord had so blasted by his declaration. In the Morning Post and Morning Herald of Saturday last were published the depositions of lady Douglas, and after what the noble lord said, that the high crime of publication of an act of state was upon my head; that I was to bear the heavy responsibility, I can hardly conceive it possible for any man to presume to justify such unwarrantable conduct. It is true that I read a Minute of Council; not copied from the books of the board, but transmitted to the personage whose full and fair acquittal it purported to be. The noble lord asserts, that I had the honour of being the first person to read a Minute of Council in this House; I apprehend that if I had a Minute of Council to produce, no proceeding could be more manly, more open, more parliamentary, or more justifiable than to read it in my place in the House of Commons. but I am accused of reading what, by a strange perversion, the noble lord terms a garbled extract; and he explains this by saying, that I ought to have read the former Minute of Council, without which the latter could not be understood. But what the noble lord maintains, is not the fact. I was not the first person to publish an act of state, for the hon. gentleman behind me (Mr. Cochrane Johnstone) read the previous Minute of Council, without which the noble lord contends that the one read by me was not comprehensible. Thus, then, both were before the House. And even according to the noble lord, they were perfectly intelligible. If any blame attaches for having produced

this Minute of Council, the hon. gentleman behind me must sustain it, and if any merit is due, to him it will belong. The noble lord, however, must allow me to remind him of a case in which minutes of council were published; nay, garbled extracts of minutes of council. The noble lord cannot forget the origin of the duke of Portland's cabinet, and a certain publication called "The Letters of a Protestant." In these were inserted extracts unfairly taken from minutes of council. Certain important words were omitted, and in this mutilated state they were delivered to the public. These copies could only have been made from the council book; to whom the credit is due I know not, but "The Letters of a Protestant," were ascribed to a person very nearly connected with the noble lord, in friendship and official situation. But I will take upon myself the whole responsibility which the noble lord wishes to lay upon me for publishing this Minute of Council. I acknowledge that I read that document, to shew how much more completely the Princess of Wales was acquitted by the second, than by the first Minute. I produced it to prove how the latter cabinet disagreed as to the mode of proceeding, on the evidence produced. How they differed as to the advice they gave to the sovereign. How they led her triumphant in innocence to the arms of her father and her king. They were anxious that there should be no delay, but that every stain being removed from the purity of her character, she should be received in a manner becoming her exalted rank, and due to her complete vindication. In this recommendation they were unanimous: beyond that, however, there was another Minute of Council, which I did not read, shewing more satisfactorily the unanimous sentiment of the cabinet upon this important subject—it referred to a request made by her Royal Highness, that some apartments should be allotted to her in one of the royal palaces, for the purpose of more conveniently attending the drawing-room. The cabinet certainly concurred in the request, but they left it to the King to determine what apartments he thought fit to appropriate to the purpose.

Since this period, with these facts staring the public in the face, and since the deposition of lady Douglas was delivered, various publications of documents have been made in papers, the names of which I have mentioned to the House, in the habit of containing expressions not disagreeable to ministers, nor very unwelcome at Carlton-house. Upon one of these newspapers, called the Morning Herald, I shall, however, fix, in justice to his Royal Highness and to his immediate friends; for whoever sees at the head of that paper the crest of his Royal Highness conspicuously displayed—whoever knows the habits of the reverend proprietor of that paper—whoever knows that this reverend proprietor has been recently distinguished by honours and by church promotion out of the usual course of appointments of that kind—whoever knows all this, and reads the gross and scandalous publications which have recently appeared in the Morning Herald, must conclude that they are not disagreeable in a certain higher quarter.

Sir; through this channel these disgusting documents, by which the public morals have been tainted, have been issued. Ambiguous and obscure, as were the expressions of the noble lord on a former night, I do not believe he uttered any thing that will bear the inference, that it was necessary, by the publication of these depositions, to remove the false impression of the innocence of the Princess of Wales, but certain it is, that after two cabinets have declared her Royal Highness guiltless, and one of them blameless, it is thought necessary to reprint that testimony, which before its publication to the world, the noble lord acknowledged to be false and perjured. After the evidence of lady Douglas, followed in a train all the disgusting, nauseous and atrocious documents, the falsehood of which is known and acknowledged, and which, beastly as they are, have been put into the shape of a volume which has come to my hands, bearing the name of the late Mr. Perceval, by whom the press is said to have been corrected. That right hon. gentleman thought the Princess of Wales so grossly and so grievously injured, that for the sake of her vindication it was necessary she should submit these painful details to the people of England and the world: and he consequently prepared a comment upon it to prove the falshood of the story, and to expose the villainy by which it had been raised. Now, however, when Mr. Perceval is dead—when her Royal Highness has no advisers remaining—when she has been

"Deserted in her utmost need
"By those her former bounty fed,"

when a series of years have elapsed, during which the public has been kept in a state of feverish ignorance of facts that they sought with eager curiosity—when the Princess has been declared innocent and blameless by two cabinets, and the witnesses against her are acknowledged to be perjured and degraded; then, and not till then, is the public eye polluted by these unfounded, these indecent statements.

Sir, what was the object of the late Mr. Perceval in wishing to submit those documents to the examination of the public? To prove the innocence of the Princess of Wales. What is the object of their publication now? To prove the guilt of her Royal Highness. After so many declarations of her innocence from all sides, even within a few days of the time I am now speaking, these papers are brought forward to deceive the public and to lead to a base conclusion of her guilt. Mr. Perceval would have given them to the world to protect injured innocence, and now they are adduced in order to calumniate the very woman of whom he was the adviser, defender, and friend. Sir, what woman was ever before placed in such a situation? Let me ask any man whether it is possible for matters to rest here? Is not a crisis imperiously called for?—the sooner it arrives the better will it be for the crown and for the people.

Under these circumstances, Sir, I thought it my duty to give notice of the present motion; and in bringing it forward, be it remembered, I am not the advocate of the Princess of Wales, but the advocate of justice. We must come to a decision one way or other. For how many long years has her Royal Highness suffered under surmises, insinuations and accusations? It is now eleven years since they were commenced, and she has not yet passed through the fiery ordeal of her trial. To whom is this delay to be attributed? The Princess of Wales has at all periods loudly claimed public inquiry. In 1806, by the advice of Mr. Perceval and sir Thomas Plomer, she demanded a fair and open trial. It was not granted. In 1813 she has again thrown herself upon the Prince Regent and upon the parliament, insisting upon her innocence, and demanding to be tried. During all this time she has been debarred from the comforts to which her rank and situation entitle her, from almost every social intercourse, and from all maternal endearments. We all know that she wrote a letter to this House, claiming—not mercy, not compassion, not protection, but—that which I require not only for the Princess of Wales, but for every subject of the kingdom—justice. The case may be that of every one; our wives, our daughters may be in a situation of similar distress. I claim for the Princess of Wales an open trial; or if she be not tried, a full, fair, free and unreserved acknowledgment of her innocence. "Try me," she entreats, "before a tribunal, competent to decide, and let that decision be final." "No," reply ministers, "you shall be tried not before a public tribunal, but before the tribunal of the public. Every man, woman and child in the empire shall read the evidence against you." She demands, "Let me be judged by my peers, and, if guilty, let me be condemned and suffer." "No," reply the ministers, "you shall be tried by self-elected juries, not of your peers, in every alehouse in the kingdom. Your judges shall be the most ignorant of mankind, incapable of drawing legal inferences of guilt or innocence. We will expose you, degraded, unprotected, to the view of the curious multitude: you shall be stripped to the eyes of a gazing world."—Good God! Sir, is this the way that justice is administered in England, the country that boasts so much of the purity of its laws and of the excellence of its establishments? Is this the mode in which innocence is maintained against the poisoned shafts of calumny? I claim nothing of this House by way of protection. I claim nothing of this House by way of mercy. I do not pretend myself to decide whether the Princess be or be not guilty; I judge only from the decisions of those who, when appointed to enquire, have declared her innocent; I insist only upon that which ought to be granted without even being required; let her Royal Highness suffer by law if she deserve to suffer, but do not allow her to suffer continual torments from the arrows which malignity is hourly casting at her! I feel myself, therefore, borne out to the most ample extent in saying, that the enquiry has been so conducted, and the result such, that with the very extraordinary evidence brought forward, and with the very serious nature of the charge, it does not appear advisable to order any measures of prosecution to be commenced against lady Douglas. But while I deplore the lamentable situation to which the Princess of Wales has been reduced, I am bound

to declare and to state in perfect fairness, that sir John and lady Douglas are both in the same situations as to the ignominy which attends on their depositions.—Various modes have been suggested for terminating the proceedings which for years have rendered miserable the life of the Princess of Wales: and from the Report of the Commissioners recommending that lady Douglas should be prosecuted for perjury, "on such parts of her testimony as, to the law officers of the crown, may appear justly liable thereto," I had originally thought that such a prosecution ought to be commenced, because lady Douglas, it should not be forgotten, is so far in the same situation with the Princess,—either she is guilty of the crime of perjury, or she is grossly injured. Let justice raise her arm, and let the sword strike the guilty, but do not delay the blow.

Although the character of the four commissioners,—and their estimation in the public mind is deservedly high,—and although two of them maintain the highest reputation for their legal knowledge and acuteness,—I mean lord Erskine and lord Ellenborough; I have been told, for I will not venture myself to deal in technicalities, in which I profess to have no deep or competent information—that a prosecution for perjury would not lie, or that if it could be instituted, it would be impossible to adduce legal proof, so as to obtain a conviction. I am not so very bold, even in the strong case of which I am now the advocate, as to oppose my single opinion in this stage of the business to the combined opinion of others much more competent to decide upon such a point than myself. On the authority of their opinion, I shall forego the determination I had formed of moving for the prosecution of sir John and lady Douglas. But I will state to the House reasons more than sufficient to shew that some step must be adopted to bring the matter to issue. Sir, I here beg the attention of the House to the following circumstances.

After the decision of the four Commissioners appointed by the King to make the necessary enquiry, and report thereon,—after the most unequivocal vindication of the innocence of the Princess of Wales, as communicated in their Report,—it appears, that a fresh examination took place into the evidence which had been completely disregarded and discredited. This new enquiry was managed by a noble person, who seemed desirous to give force to that which had been previously deemed of no validity. When the witness whom he had summoned before him said, "I never believed the report, I treated it as the infamous lie of the day," what was the conduct of that noble person? By a most significant manner, he conveyed to the person examined, that he (the noble lord), still did give credit to the report. He shook his head most significantly, and appeared to disbelieve the strong testimony of the witness whom he had called before him. If persons who are most enlightened thus maintain their prejudices, and no means are left for vindication, how is innocence to be maintained? Does it not become us as men, as lovers of justice, as representatives of the people, as supporters of the dignity and stability of the throne, when such crimes are attributed to one so near it, to bring the matter to a decision? Is it not our bounden duty to seek a speedy determination for the sake of the governing authorities of the country? It is not the Princess of Wales alone who is shocked by such proceedings. Is not the Prince of Wales, her natural protector, shocked? Are not the best interests of the country shocked? Are not the morality, the virtues and the loyalty of the people, shocked? Is not the monarchy itself interested in the determination? Yes, we are all, both individually and collectively, shocked and affected in the deepest and tenderest points. It is, I will maintain the assertion over and over again, totally impossible that the matter can rest in its present state. It is impossible, whether the rights and interests of the crown or of the subject, are considered, that the matter can be deferred any longer. If the sentence of acquittal which has been pronounced, is to be set up as a bar against that crisis which appears absolutely necessary, can it be denied that there are people who, in opposition to the assertion of the innocence of the Princess of Wales, are at all times ready to shake their heads, and who cannot help thinking that there is something in it? It is high time that a thorough scrutiny should be instituted. It is high time that every circumstance, hint, and suggestion, should be sifted in every way that human ingenuity can devise, for the purpose of doing justice, not to the Princess of Wales only, but to all who are implicated in the transaction. The fact is, and I speak in the hearing and under the correction of many who are acquainted with that fact, that the rumours still preva-

lent, though in direct opposition to the sentence of acquittal, are numerous; and, what is worse, they are circulated with an appearance of candour which give them a weight that is better felt than it can be described. This is the mode in which mischief much more injurious, diffusive, and lasting, will be effected, than by attacks, however hostile, when open and direct. The more cautiously the injury is veiled and shaded, the deeper and the more firmly it will take root. The result is clear and certain; and while the affair rests as it is, is it not natural that the Princess of Wales should suffer,—should be degraded,—should be sunk and lowered in the estimation of men, even of the greatest respectability, integrity, and honour? When I cast my eyes backward, when I take a clear and minute review of the origin, progress, termination, and revival of the accusation, I am bound to declare to the House, that I feel it to be my duty to arrest the further progress, as far as I can, of a system which appears to me as likely to be fatal to the best interests of the monarchy and the people. I have, in truth, much to say upon the subject; but I will endeavour rather to confine myself to statements warranted by facts, than to indulge in the expression of those feelings and emotions which the severe and unmerited treatment of the Princess of Wales might call forth and justify. Notwithstanding the verdict of acquittal; notwithstanding the affectionate and assuring visits of her royal father; notwithstanding the protection she received from the King as the child of his bosom up to the last hour of his mental existence, still there are found those who traduce the character of the Princess of Wales: she may be for a time without the respect of a portion of the people of England, but I believe not without the compassion of all. Give me leave to remind the House who the person is that has been thus grievously injured. Allow me to revert to the period when this unhappy princess first came a stranger to these shores. What is the plain and simple narrative of her connexion with this country? In 1795 the Princess of Brunswick was married to the Prince of Wales. She was received with all the honour and attention due to her rank, to her intimate alliance with the crown, and to the high destiny she was in all probability called upon to fill. She was extolled as the pattern of excellence, and was pointed out as an example to the rising generation. Fifteen months had only elapsed, from her arrival in England, when she was separated from her husband; and it is but justice to say, that not even the whisper of any imputation was heard upon her conduct. She whose conduct was unimpeachable—who had produced an infant, the hope of the nation, was suddenly stripped of the trappings of royalty, dismissed from scenes of pleasure and luxury to a private station, without any of the solaces that belong to seclusion. She had no friends, no relations, to render her solitude less wearisome, and her former splendor made the contrast more gloomy and cheerless. Still, however, her conduct was blameless—she bore her severe lot with fortitude, and up to the year 1802 the tongue of calumny was silent. Supposing, however, that after a lapse of years, she had been guilty of some improprieties of demeanour, let us consider what would be the case of a private individual in her situation. Admit even for the sake of argument, that she had been guilty of the crimes imputed to her. If the husband in common life under such circumstances should seek a remedy, what would be the decision of the law? Would he not be told by the judges, that he should have used greater caution—that a young and amiable foreigner should not have been thus left exposed to danger unprotected by a husband's care? Would the court not take into its view the peculiarity of the circumstances? Would it not form a milder judgment when it was found that a young and friendless woman had been deserted and exposed by her husband in a foreign country, without the natural protection that was her due? The Court would say, that the husband had neglected to afford his guardian care, and that it was not less his fault than hers, if her conduct had been imprudent and irregular. The case of the Princess of Wales, however, was far more severe than any which can be imagined in common life. She was turned upon society without the ordinary means of amusement; without the consolation of parents, or of her child, to recompence her for the loss of her husband, who had taken perhaps an unfounded disgust, or might have other objects in procuring the separation. Above all, if the crime imputed to the Princess were sufficiently established, we know that her blood must have expiated her offence.

In what situation is the succession to the throne placed?—Lady Douglas has been again examined as a credible witness, not only by a magistrate, Mr. Conant, but she has been treated as such by the Lord Chancellor of England. The evidence of lady Douglas has gone farther than to inferences from what she had heard in her conversations with the Princess of Wales; for she has positively sworn, that, to her knowledge, the Princess of Wales was not only with child, but was delivered of a male child; if so, the Princess of Wales is in imminent danger. If so, the Princess Charlotte is involved in danger. But, what is still more striking, lady Douglas herself persists, and offers on this day in the Petition which I have presented, to maintain, at every risk, the truth of her deposition. Why has nothing been done to ascertain the truth of this matter? For if true, this male child, and not the Princess Charlotte, must inherit the throne, unless it can be proved that he is the offspring of an adulterous intercourse.

Here the hon. gentleman entered into a view of the evidence, prefacing his enquiry with an acknowledgment that he thought the Prince of Wales had acted properly on that occasion, in referring the matter to the King, and, by his advice, to the Commissioners chosen by his Majesty. These Commissioners were in every respect fitted to the importance of the inquiry. He readily admitted, that they constituted a tribunal, than which none could be more honourable, none more qualified by their legal knowledge, and by their acknowledged talents and integrity, for the due performance of the duty assigned to them. They proceeded to examine, and they terminated by acquitting. But adding, that from the evidence of Bidgood, Lloyd, Cole, and Mrs. Lisle, there was ground for imputing to her Royal Highness a degree of levity which did not become her character and station. Upon the testimony of these persons, which had been given to the world most manifestly for the malicious purpose of injuring her Royal Highness, the public had now been called upon to judge of the impropriety of the conduct of the Princess of Wales. Many most unjustifiable steps had been taken to poison the public mind, and to give it an unmerited bias against the Princess of Wales. He held in his hand a pamphlet, which he had on that day purchased in the city, called "The Delicate Investigation Complete;" which was stated to be published by royal authority; and which, from the general purport of its running title, he had not the slightest doubt was designed with the most malicious views towards her Royal Highness—an opinion which was strongly confirmed by a placard exposed at the door of the publisher, which was of such a nature as to induce any person reading it to pass immediate judgment upon the Princess. How this had been paid for, or under whose sanction it had been published, he could not divine. He had, however, gone into the shop, and enquired by what authority it was published? The answer given was, that it was published by royal authority; and when he further asked, how that authority had been communicated, he was assured that it should be known when the proper time arrived for declaring it. The words, "By Authority," formed the running title of the pamphlet, and they were affixed on the outside of the house, with the evident intention of attracting purchasers, and extending the circulation of false evidence ruinous to the character and honour, and dangerous to the existence of the Princess of Wales. Not one word of this assertion respecting royal authority did he believe. Nevertheless, he could not help expressing his surprise at a note which appeared at the conclusion of the first number of this work, in which an apology was made for putting the evidence of Cole, Lloyd, Bidgood, and Mrs. Lisle, first, although they were not the persons first examined, and in which the reason assigned for this transposition was, that the evidence of those persons alone related to the fact now before the public. In the opinion of the compiler of this publication, therefore, the testimony of those four persons went to establish charges against her Royal Highness, while the testimony of all the other witnesses went for nothing.

He was surprized and concerned that so much credit had been given by the Commissioners to the evidence of these four persons. But the matter having been thus, as it were, put to issue upon these four witnesses, he thought it necessary to refer to their depositions, in order that the House might judge how far any thing which had been stated by them ought to throw any imputation upon the injured object of public curiosity and attention. Out of the four, one might, without hesitation, be totally discarded. He alluded to Frances Lloyd, who, from the

deposition of Dr. Mills, had been distinctly proved to have been guilty of perjury. The House would recollect that this woman had stated, that Dr. Mills had told her, the Princess of Wales was pregnant. They would also bear in memory, that when Dr. Mills was sent for by a noble earl (Moira) he positively denied that any such expression had ever escaped his lips, and offered to swear, not alone to the falsity of Lloyd's assertion, but to the fact that no such suspicion had ever entered his mind. And on this occasion he (Mr. Whitbread) could not help regarding the conduct of the noble earl who had called upon Dr. Mills for explanation, as most extraordinary and incomprehensible. After Dr. Mills had given the most positive contradiction to the deposition of Lloyd, what was the course pursued by the noble earl? Did he, as might be supposed, when the character and respectability of Dr. Mills was considered, and contrasted with the situation of Lloyd, at once say—"This woman must have sworn falsely?" No—the noble earl, with a coolness inexplicable, said—"This must be a mistake, she must have meant your partner, Edmeads." Thus, although the woman had positively sworn to her having heard the remark from Dr. Mills, insinuating that she was right in fact, although wrong in the identity of the person. Could any thing have been more preposterous than this? Could the House withhold its surprise and indignation at a species of proceeding bearing on its front such palpable partiality and unfairness? The supposition of the noble earl, however, had subsequently received a complete and positive refutation. For Dr. Mills, and Mr. Edmeads, with that feeling which it was well known attached to their honourable characters, revolting at the base calumny which she had uttered, declared, spontaneously, that there was not one word of truth in the foul and disgraceful aspersions which had been uttered by Lloyd. How, after this, the Commissioners had suffered the evidence of this woman to remain on their Minutes, he was at a loss to conceive.

He must now advert to the testimony of another witness, which had made, and was calculated to make, the greatest impression of all upon the public mind. He hoped there was no one present who would feel hurt at any thing which should fall from him in commenting upon the testimony of the lady to whom he alluded—he meant Mrs. Lisle, whose rank and unblemished character was universally known. This lady had been placed about the Princess of Wales from her first arrival in England, and had remained in that situation down to the latter end of the year 1812. She was always on the closest footing of intimacy with her Royal Highness, and the very fact of her continuing with that illustrious person, was the best proof of her conviction that no charge of indiscretion could be supported. From the expressions attributed to that lady, however, inferences had been drawn which were not consistent with truth, and which ought to be suspended until the real and substantial import of her evidence had been submitted to the public. The manner in which the examination of Mrs. Lisle had taken place was rather extraordinary. A paper had been put into his hand that morning, by a gentleman whose veracity he had no reason to doubt, who assured him, that it contained an authentic copy of Mrs. Lisle's examination; nevertheless he desired to be understood as not personally responsible for its authenticity. Upon contrasting this document with the deposition of that lady, which had been published, he could not withhold his expression of astonishment that such a statement had been suffered to go forth. Every one knew that Mrs. Lisle was called before the Commissioners at a time when she was labouring under the deepest family affliction—so afflicted, indeed, that if it had not been the bounden duty of the Commissioners to proceed without the delay of a moment, it would have been but considerate to have postponed their enquiry for a short time. In a case of this kind, he thought it right to put the question fairly before the public, in order that they might not pass judgment precipitately, or come to conclusions which in the end would be found inconsistent with truth and justice. He was not surprised, considering all things, even if the paper he held in his hand was quite authentic, that Mrs. Lisle had signed her name to the deposition after it had been read to her. But the aspect of the whole was so different when the questions were added to which the answers constituting the deposition were applied, that he could not refrain from troubling the House with a few of those questions by way of example.

In the deposition it was stated, that "captain Manby always sat next to the

"Princess at dinner." How different an impression was conveyed by the examination, wherein would be found this question preceding, "Did captain Manby "sit next to the Princess of Wales at dinner?" to which the answer returned is, "He did."

Some questions put were of a ludicrous description. Mrs. Lisle was asked, whether she meant to say that "the whole "party at the Princess of Wales's, sat as "she herself and the noble Commissioners "were then placed for the whole evening," and when she replied in the negative, and that the Princess conversed with captain Manby apart, she was gravely asked, "whether she knew what they "conversed about."

In the deposition it was stated that Mrs. Lisle declared that "she should not have "thought any married woman behaved "properly, who had conducted herself as "the Princess of Wales did towards captain Manby."

How different the impression taken must be by any one who had the opportunity of reading the paper he held in his hand, wherein the lord chancellor Erskine was stated to ask a question to this effect: "Now, Mrs. Lisle, I put it to you as a woman of sense, character, and knowledge "of the world, to answer before God and "this Committee, do you think the conduct of the Princess of Wales to captain "Manby was such as became a married "woman? I would put it to you as in the "case of your own daughter?" Those who were acquainted with the unhappy circumstances in which Mrs. Lisle was at that moment placed, would know, that if there ever was a question framed to harrow up the soul of woman, to make every chord of her heart vibrate with anguish, this was the question which must have probed Mrs. Lisle to the very quick, so as almost to disqualify her from further proceeding in her evidence. But she collected herself for a dignified and affecting answer; "*My* daughter, my lord, lived well with her husband!" In that short sentence a world of meaning was conveyed.

But my lord Ellenborough had amended the question by adding, "I suppose "your lordship would put it as a married "woman generally."

To this question so amended, it did not appear by the paper which he held in his hand that any answer had been returned.

He was sorry to be obliged to animadvert on the conduct of the noble Commissioners, but he should be doing gross injustice to the cause if he did not say, that if the accused had been provided with an advocate, the witnesses would have been protected, and prevented answering many questions which were put to them. It would appear by the deposition, that Mrs. Lisle had voluntarily said that the Princess's manner was flirting, and that she had greater pleasure in talking with captain Manby than with her ladies. In the examination, however, it would be found that these were answers to questions directly pressed upon the deponent, and that after she had declared the Princess "to be free "and condescending in her manner to all," she was further questioned, and then replied, "that the Princess appeared to like to "talk with captain Manby better than "with her ladies."

Let the House recollect that although there were attached to the Princess ladies of high birth and attainments, and of an unblemished reputation, (a circumstance in itself from which it might be inferred in what estimation her Royal Highness was held by the great families of the country) yet could any body doubt, that when new society broke in upon the sameness and fatigue of retired and mock royalty with new subjects of conversation, to one who was debarred from almost every ordinary source of rational amusement, and was uncompensated by any of the decorations and trappings of state, such novelty must be acceptable? Could any body be surprised that it was found agreeable or that it might be indulged in with innocence? Yet upon the Princess of Wales, conduct so natural and so innocent was to be imputed as blameable. Let gentlemen take under their consideration the situation of their own wives, sisters and daughters! When they left home to attend to their public or private business, if it were attempted to impute criminality to women dear to them in those different relations, upon charges such as these, would they not treat the insinuation with scorn and contempt? They might be disposed to prosecute a calumniator who dared to found charges upon such innocent trifles. But the Princess of Wales was altogether bereft of such protection.

Some parts of the examination were of a nature which appeared to him beneath the dignity of the examiners. About her "driving out with Mr. Hood in a little "whiskey, and whether the servant who "attended them was a man or a boy, and

"who drove," and so forth, all which appeared too ludicrous for an examination so serious, and yet in their consequences to the Princess far too serious to be considered in a ludicrous point of view. Would it be fair play to the Princess to suffer this deposition to make further and deeper impression, without giving to the world the questions by which it was produced?

In that part of the deposition wherein Mrs. Lisle had stated that "Mr. Chester "was a pretty young man," the inference unavoidably drawn by those who read the deposition would be, that Mrs. Lisle herself conceived that the Princess had shewn a preference to Mr. Chester because he was a pretty young man.

How different the impression if it should turn out, as stated in the paper he had before him, that Mrs. Lisle was specifically asked by the Commissioners "whether "Mr. Chester was not a handsome man?" and that she had returned an answer conveying singly her own opinion upon the appearance of Mr Chester, that "he was a pretty young man."

It was too nauseous and disgusting to be obliged to dwell upon many parts of the evidence, but it was too hard upon this unfortunate person that all the common incidents and infirmities of nature were to be imputed to her as evidence of frailty and guilt. The deposition, immediately after the statement respecting the company at Sheffield-place, and that Mr. John Chester was the only person who on the first arrival of her Royal Highness was there to meet her, went on to give an account of her Royal Highness having been up and about the house at a late hour of the night.

Here the examination again came in aid of the Princess, and recounted questions preceding—"Do you remember "the Princess getting up in the night, and "going into another room for a light?" "I do." Then came the following question from two grave lawyers: "Why did she "get up in the night?" The answer was, "I heard her Royal Highness say she "had been taken ill, and that her candle "had gone out."—Here was the solution of this transaction, which to some had appeared so mysterious.

The head-shakers had shaken their heads because Mrs. Lisle had said so and so in her deposition. Let the examination be taken with the deposition, and the most incredulous of innocence must be convinced.

Then Mr. Chester had walked out twice with the Princess, and had stayed once a longer and once a shorter time, owing to the state of the weather, or some accidental circumstance. Then came the history of "Captain Moore, and that the "Princess had been twice alone with him "whilst Mrs. Lisle was gone to look after "some books, for which she had been sent "by the Princess. That she might be "gone half an hour at the one time, and "twenty minutes at the other." Surely if any imputation rested upon the Princess on account of those errands, they fell as heavily upon Mrs. Lisle herself. But in truth to an unprejudiced mind they warranted no presumption of guilt, nor slightest impropriety of behaviour. He might now go on to the circumstances of Mr. Lawrence, and so to the end of the chapter, but he had done enough to show that the notes of the examination, if correct, took the sting intirely out of the depositions. Lloyd had been proved to have perjured herself by the testimony of Mills and Edmeads. He had endeavoured to shew how little weight was to be attached to the testimony of Mrs. Lisle. All that remained was the evidence of Cole and Bidgood. They might be left to themselves, even without the trial to which he wished they had been subjected of the cross-examination of the Attorney General, of whom he should like to ask some questions. The purest of mortals could not stand the ordeal to which the Princess of Wales had been subjected: human conduct, however innocent, was unequal to a scrutiny so conducted.

During the whole of this protracted and afflicting period, her situation could not be better described than in the words of one of the paragraphs, in the Letter to the King drawn up by the late Mr. Perceval, the present Lord Chancellor and sir T. Plomer: "a situation of friends turned enemies—of servants who seemed traitors and spies—of foul conspiracy, of social and domestic treason, and in which she could look to no security but to that principle of justice which constantly actuated the conduct of his Majesty." We had now seen a combination of rank, talent, and character; a combination of all the first authorities in the state, the church, and the law, again examining her conduct, and pronouncing an opinion, while she was still left without a defender, or any other support, than that courage and spirit which conscious innocence could alone inspire.

Much had been said of the responsibility that attached to the advisers of her Royal Highness. He would not shrink from the share, which had accidentally fallen to him, although he pretended not to know to whom was to be attributed the publication of that Letter addressed to the Prince Regent, which had led to all the recent disclosures. With respect to the passage which the noble lord had been pleased to call a canting paragraph, it was to be observed, that the Princess had made previous representations to her Majesty on the subject of the delay in the confirmation of her daughter. No restraint had existed upon the intercourse between her Royal Highness and the Princess Charlotte until the year 1810, when the King proposed some little alteration, adapted to the change in the system of her education. It was in the course of the last autumn only that the Lord Chancellor signified to the Princess of Wales that further restrictions were about to be imposed. The noble lord had regretted that her Royal Highness had not now her former advisers. How was the Princess of Wales to obtain their advice? Lord Eldon, who had been one of those advisers, was converted into the stern messenger of rejected requests and arbitrary mandates. Lord Eldon had withdrawn his friendship and advice, Mr. Perceval was no more; the rest had deserted her. The letter to which he had alluded was returned three times unopened, and not till then published. That publicity had, as he conceived, been productive of good; because it had brought the situation of her Royal Highness to a crisis. It was a letter which, had he been the author, he should have willingly acknowledged, although he avowed that the threatening letter sent by the advice of the late Mr. Perceval to the King, was one which he could never have sanctioned.

The noble lord (Castlereagh) had affected to treat the whole as a private arrangement; but his Royal Highness had now responsible advisers, and the question was of the highest public moment. What had followed the publication of this letter? Then came the meeting of the privy council, at which the Speaker himself was present. The letter appeared on the 12th of February, and on the 13th Mr. Conant examined lady Douglas. Was there any crime, then, in publishing the letter, even if the Princess of Wales had authorized it? Was that in itself high treason? was the Princess to be beheaded because her letter had appeared in a public newspaper? It was understood that private examinations were still proceeding. The noble lord disclaimed all knowledge of them. But if such was the case, he did not see how the noble lord could justify himself in remaining any longer in office. If the noble lord could not discover, as he confessed he had not been able to discover, legal criminality, the intercourse ought not to be interrupted. If justifiably interrupted now, why was it not interrupted in the year 1806? It should be unrestricted, or interdicted altogether. If the restraint was only to last, as the noble lord had said, till the Princess Charlotte should return to town, why not expostulate with the Princess of Wales upon her impatience, and point out the time when it would be fully gratified? It would not have been difficult, he believed, to have persuaded her, if the advisers of the Prince Regent had been so disposed, to submit to any measure which, while it corresponded with the dignity of her station, did not outrage the feelings of nature.

As a proof of the moderation of her Royal Highness, of her disposition to adopt any conciliatory measure, he would state the following fact. Immediately after the late discussions, he had been in company with a noble attendant upon the Princess of Wales, and in his eagerness to promote in every possible an event so much to be wished for, he had hastily sketched such a letter as he conceived if written by her Royal Highness would be well calculated to effect conciliation if it could be effected by honourable and dignified submission.

The letter was taken to her Royal Highness, and she had done him the honour to adopt it, to copy it with her own hand, with the intention of sending it to the Prince of Wales. But this healing and desirable step had been prevented, by her receiving information, that sir John and lady Douglas were again under examination, and that, too, with the sanction of the Lord Chancellor. The letter he would read, if the House would indulge him. The following was a copy of it.

"Sir; I once more approach your Royal Highness, and can venture to assure you, Sir, that if you will deign to read my letter, you will not be dissatisfied with its contents.

"The Report made by certain members of his Majesty's privy council, was com-

municated to me by lord Sidmouth, and its contents appeared to those, upon whose advice I rely, to be such as to require on my part a public assertion of my innocence, and a demand of investigation. It cannot be unknown to your Royal Highness that I addressed a letter to the Lord Chancellor, and a duplicate of that letter to the Speaker of the House of Commons, for the purpose of its being communicated to the two Houses of Parliament.

"The Lord Chancellor twice returned my letter, and did not communicate its contents to the House of Lords.

"The Speaker of the House of Commons thought it his duty to announce the receipt of my letter, and it was read from the chair. To my inexpressible gratification I have been informed, that, although no proceeding was instituted according to my request, certain discussions which took place in that honourable House, have resulted in the complete, unequivocal, and universal acknowledgment of my entire innocence, to the satisfaction of the world.

"Allow me, Sir, to say to your Royal Highness, that I address you now relieved from a load of distress which has pressed upon me for many years.

"I was always conscious that I was free from reproach. I am now known to be so, and worthy to bear the exalted title of Princess of Wales.

"On the subject of the confirmation of the Princess Charlotte, I bow, as becomes me, and with implicit deference to the opinion expressed by his Majesty, now that I have been made acquainted with it. His Majesty's decision I must always regard as sacred.

"To such restrictions as your Royal Highness shall think proper to impose upon the intercourse between the Princess Charlotte and myself, as arising out of the acknowledged exercise of your parental and royal authority, I submit without observation. But I throw myself upon the compassion of your Royal Highness, not to abridge more than may be necessary my greatest, indeed, my only pleasure.

"Your Royal Highness may be assured, that, if the selection of society for the Princess Charlotte, when on her visits to me, were left to my discretion, it would be, as it always has been, unexceptionable for rank and character. If your Royal Highness would condescend, Sir, to name the society yourself, your injunctions should be strictly adhered to.

"I will not detain your Royal Highness—I throw myself again on your royal justice and compassion, and I subscribe myself, with perfect sincerity, and in the happy feelings of justified innocence, your Royal Highness's, &c. &c. &c."

This letter, thus hastily written, the Princess had copied with her own hand, when she was informed that a host of attornies and spies and informers were again at work—that the carrion evidence, so long buried, was to be flung before the public, to offend the general sense—that the Douglases were again sent for. Under these circumstances, could she be expected to send it? He had held the late debate to have been a verdict of acquittal—a verdict, in which all who had joined in that debate most entirely concurred. He had, then, naturally entertained the hope, that her Royal Highness had at length arrived at the period when she might be permitted to leave her lonely state, that the sun was again shining upon her, and that she might now be received again by her royal husband. Had it been possible to send such a letter, all might now have been at rest. Unfortunately this had been rendered impracticable, and he had only to lament the disappointment of the general wish and hope. Before the representatives of the people of England, then, he now defied the accusers of her royal highness the Princess of Wales. He challenged them to the assertion and to the proof of her guilt. He called upon them to produce their charges, and to bring her Royal Highness to a public trial. She could not prosecute in her own name, and she had no husband to prosecute for her. He had heard it said, that she ought to leave the country. Was it fit the Princess of Wales should leave the country? Was it for innocence to fly? In the whole world, perhaps, she was the person the most unprotected. She came hither to a high destination, but on the hard condition attached to female royalty: a foreigner, unknowing and unknown. Let the House recollect the fate of Caroline Matilda, the sister of his present Majesty, who was unfortunately married to a person unworthy of her—the then king of Denmark. A conspiracy was formed in the court of that kingdom, which arose out of a struggle for power. Brandé and Struensé were executed; and to the former it was imputed that he had been criminally connected with the queen. She was described by the

historian as suffering in consequence of her being far removed from the equitable tribunals of this country. In Denmark, it was said, *that* justice was not to be expected, which she would have been sure to experience had she been so fortunate as to have continued subject to the mild and equitable laws of England. Caroline Matilda, an English princess, could not obtain justice in Denmark. But the case of the Princess of Wales was in England, and she might, therefore, expect to have her conduct judged of by the laws of England. She was suspected, and she asked to be brought, for the investigation of her conduct, before an English tribunal. An English princess could not obtain English justice in Denmark. But she, a German princess, asked with confidence for English justice in England. She, the niece of this very Caroline Matilda, asked that justice in England, which had been denied to her aunt in Denmark. Caroline Matilda, when rouzed from her repose by the tumult which took place in the palace on the explosion of the plot formed against her life and honour, endeavoured to escape from her persecutors, to throw herself at the feet of her weak and deluded husband. In her anti-chamber she was met by her mortal enemy Rantzau, and she returned to her chamber. Again she took courage and rushed forth; in the interval a body of soldiers had been stationed there to oppose her course. Regardless of the bayonets which were presented at her breast, she persevered, and forced her way to the apartment of the king; but he had been removed. She was secured, and carried to the castle of Cronberg. Her enemies had intended to take her life, but the blow was averted by the powerful intervention of her brother, our most gracious sovereign, and having been removed to Zell, she expired in her 24th year of a broken heart; the deprivation of the society of her children having preyed upon her mind more than every other circumstance of her great and unmerited misfortunes. The evidence against her, as historians stated, far from warranting a legal conclusion of guilt, did not amount even to presumptive proof of it.

On what foundation of authority did the innocence of the Princess of Wales stand?—on this—lord Eldon, as a lawyer, (as the high legal authorities of Denmark had done with respect to Matilda) said, the greater part of the evidence was satisfactorily disproved, and as for the remainder, all men utterly discredited it. But these mysterious examinations still continued, and her Royal Highness found, notwithstanding the boast of the historian, that there was not even in this country any tribunal to which her guilt or innocence could be brought to issue. If she resolved to quit this country she had now no father to go to; nor had she even her father's country to afford her an asylum. Just after the period when these examinations had been conducted with so much acrimony against his beloved daughter, he had paid the forfeit of his life at the battle of Jena. She had however the consolation to know that her father had received all the papers relative to the investigation of her conduct, and had expressed his dying conviction of his daughter's innocence. The Princess had the satisfaction of knowing, that he lived to be informed of her acquittal, and died in the persuasion of her entire innocence. What protection, then, had the Princess of Wales? She had a right to that of her husband and of the law. Would the House deprive her of the latter? Her husband had withdrawn from her Royal Highness his protection; and was that House to withhold from her its protection also? She had, indeed, her noble mother here—the sister of Caroline Matilda; she had her bosom to retire to. She had also the sanction of the countenance and affection of her gallant brother, but he had not the same means of affording her protection. She, therefore, or rather he, (Mr. Whitbread) in her name, called on that House—the representatives of the people of England,—to become the protectors of an innocent, traduced, and defenceless stranger—the mother of their future queen. He wished most sincerely that "The Book" now lying on the table of the House, before him, had never been printed; he wished that the letter to his Majesty in the year 1807, threatening that the book should be published on the following Monday, had never been written. He did not ask of the House to approve of any subsequent letter which had since been published: he only asked of them to compare that letter with the threatening letter dictated by Mr. Perceval. He should not, however, read the two. He would not do it, on account of Mr. Perceval, who was now no more. He did not wish to execute justice on him, but he would on lord Eldon, if he could, because

on him he thought justice should be done. He would read the two letters for the sake of executing justice on the one, were it not that he might thereby seem to be doing an act of injustice to the memory of the other.

One word more, and then he had done. He should certainly abstain from making the motion of which he had given notice, and earnestly hoped that a disposition similar to that which he knew to exist on one side, might be evinced, on the other. It was never too late to conciliate, and if, even now, matters could be brought to that crisis, he was certain the nation would esteem it the greatest boon that could be conferred on the country.

As a preliminary to his motion, he would put in two papers, the Morning Herald and Morning Post of Saturday last.

The *Speaker* asked, what part of the papers which he had put in, the hon. gentleman intended to complain of?

Mr. *Whitbread* having stated that they were marked, he moved, that the Morning Herald of Saturday, March the 13th, and the same paper of Monday, March 15, 1813, should be delivered in, and the paragraphs complained of be read. This having been done, the honourable gentleman stated his complaint against these Papers, purporting to contain the Depositions taken before certain privy counsellors therein alleged to have been appointed by his Majesty, to enquire into matters touching the conduct of her royal highness the Princess of Wales, in which Depositions her Royal Highness is accused of the crimes of adultery and treason, but which charges are in the said publications alleged to have been declared by the said privy counsellors to be wholly unworthy of credit.

He then moved the following Resolution:—

"That an humble Address be presented to his royal highness the Prince Regent, expressive of the deep concern and indignation with which this House has seen publications so insulting to the honour and dignity of his Majesty's royal family, so offensive to decency and good morals, and so painful to the feelings of all his Majesty's loyal subjects; and that this House humbly requests that his Royal Highness will give directions that proper measures may be taken to discover and bring to justice all the persons concerned in committing, or procuring to be committed so high an offence, and for preventing the repetition or continuance of such publications."

The question having been put from the chair,

Lord *Castlereagh* said, the hon. gentleman, in the course of his speech, had introduced a vast body of matter, which was wholly unconnected with, and irrelevant from, the motion with which he had concluded. He however would not be induced by any thing contained in the speech of the hon. gentleman, to follow him through the great variety of topics into which he had entered, and the statements he had grounded on papers which were not connected in any way with the business before parliament. For his own part he knew not what practical end could be answered by the course of proceeding which he had adopted. Would that course produce conciliation? Would it tend to foster that conciliatory spirit, which the hon. gentleman seemed to think existed in a high quarter? However much conciliation had been spoken of throughout this business, it did not seem to have been cherished by those who were most loud in recommending it. What, he would ask, appeared in the public prints the very day after the last discussion on the subject in that House? Instead of any thing calculated to produce conciliation, the next documents with which the public were indulged, were two letters written to his Majesty himself, which were published for the evident purpose of throwing blame on another illustrious personage.

This proceeding was followed up by the speech which had just been uttered by the hon. member, a speech by which he was satisfied the House would agree with him in thinking he was more likely to promote the effects he appeared to deprecate than to obviate them. The delivery of this speech was altogether inconsistent with the rules of parliament, and if he had not been unwilling to interrupt that hon. member in pursuing the subject on which he had employed his eloquence, he would have noticed the irregularity of the proceeding. He agreed most perfectly with the hon. member, that the monarchy was deeply concerned in the proceedings to which the attention of the House was directed. Nothing could more nearly concern the interests of the monarchy than the subject which had been introduced to them; and it was their duty, with cool and deliberate consideration, to decide on

what they, according to the constitution of parliament, had a right to do. Sorry, however, he certainly was, that the discussion which had taken place had led to such speeches, from the hon. gentleman and others, as he could not hear without feeling considerable pain. The good sense of parliament was now called on to act; and he hoped it would, in the outset, express its dissent from the course proposed by the hon. gentleman—a course entirely different from that which he had originally stated his intention of pursuing. He began his speech in a manner not at all relevant to the motion which he meant to propose; and if he (lord Castlereagh) did not feel a strong disinclination to interrupt the hon. gentleman, he should have felt it his duty to have called him to order—since, under the mask of defending the Princess of Wales, he had indulged himself in a most personal, improper, illiberal, unfair, and unparliamentary attack on his royal highness the Prince Regent.—(Cries of Order, Order!)

Mr *Whitbread* objected to the terms in which the noble lord had described his conduct; and

Lord *Castlereagh* asserting, that what he had said was perfectly justifiable,

The *Speaker* requested to know whether the hon. member wished the words of the noble lord to be taken down?

Mr. *Whitbread* having replied in the affirmative,

The *Speaker*. The hon. member desires the words of the noble lord to be taken down. The Clerk will do so—and he will then read them aloud, for the purpose of ascertaining, whether the words so written were those made use of.

Mr. *Whitbread* then proceeded to dictate the words to the Clerk, in which he was assisted by several of his friends.—To this proceeding the Speaker objected, observing, "That, as the hon. member complained of the words, he alone should point them out." The sentence was at length written by the Clerk, thus—"Under the mask of defending the Princess of Wales, the hon. gentleman has indulged himself in the most improper, and unparliamentary personal attack on his royal highness the Prince Regent."

The words having been read by the Clerk,

Lord *Castlereagh* took up the paper on which the offensive expressions had been copied, and admitted they were those he had used—adding, that he had no explanation to offer.

Mr. *Whitbread*. Consistently with my parliamentary duty, it is a task incumbent on me to demand of the noble lord, whether he used these terms? If I acted in such a way as to deserve their application, it was the duty of the noble lord to move for my committal to the Tower.

The *Speaker*. It now remains with the noble lord, either to admit or to deny the words which he is stated to have used; if he admits them, it will then be competent for him to offer such explanation, with respect to his intent and meaning, as he may think proper.

Lord *Castlereagh* admitted the correctness of the words as taken down.

The *Speaker*. The noble lord has now an opportunity of entering into such explanation as he may deem necessary.

Lord *Castlereagh*. I shall now proceed to state, why I conceive the hon. gentleman did, under the mask of defending the Princess of Wales, make an attack on his royal highness the Prince Regent, which I consider unfair, illiberal, and unparliamentary. The hon. gentleman, in the course of his speech, selected a chapter from the history of those distressing events, by which we are all so deeply affected, which I thought neither he, nor any other member of that House, would have resorted to—I mean those unhappy personal differences between the Prince and Princess of Wales, which we must all contemplate with feelings of the most acute regret. He did advert to those circumstances; he proceeded to argue the question, as if connected with them; and assumed, that the whole demerits of the transaction were to be ascribed to his Royal Highness—and that, if the Princess of Wales were criminal, it arose from the conduct which had been pursued towards her.

Mr. *Whitbread*. I deny having drawn any such inference as that stated by the noble lord—I deny having meant to produce such an impression—I know too much of parliamentary proceeding to have uttered such sentiments.—If I had delivered myself in the way the noble lord has described, it was his duty to have called me to order; and, I am sure, Sir, speaking under your cognizance, if any thing improper had fallen from me, you would have immediately enforced obedience to the rules of the House. Your not having stopped me, is, I think, of itself a sufficient proof, that no part of my speech called for the designation which the noble lord has applied to it.

The *Speaker.* The noble lord has a right to proceed, and offer such explanation as he pleases on the subject—when he has done, it will be for the hon. member, or any other hon. gentleman, to propose any proceeding which he may deem expedient.

Lord *Castlereagh.* The hon. gentleman observes that I ought to have called him to order, if he used such language as I have described. I did not resort to that course, for two reasons; in the first place, I was unwilling to interrupt him; and, in the next, the attack was not made on his Royal Highness, as Prince Regent, but as Prince of Wales. I think the attack was illiberal, because it was made in the absence of the person to whom it related—and because the hon. gentleman was ignorant, whether there was any person present who would stand forward to defend his Royal Highness.

Mr. *Tierney.* I will put it to the noble lord, when the hon. gentleman has distinctly stated, that he made no observation with the feeling imputed to him, whether he will persevere in affirming that he did? The noble lord will, I am sure, give me credit when I state, that nothing should induce me to say I heard what I did not hear—or to deny my having heard that which I did hear—and, in justice, I must observe, that I do not recollect my hon. friend to have said any thing which could bear the interpretation of the noble lord. The noble lord may conceive the whole of my hon. friend's argument, in his view of it, as lying open to this interpretation—but that is different from the attaching a particular character to select parts of it. Where, however, an hon. member is charged with having used intemperate expressions, and denies the charge, it is contrary to the courtesy of the House, and, indeed to the custom of parliament, to persevere in the charge.

Lord *Castlereagh.* The hon. gentleman had observed, that, if my statement were correct, I ought to move "that he be committed to the Tower." Now, I merely stated, that the general course of his argument warranted the inference which I drew. And I must say, that I never heard a speech which gave me greater pain.

Mr. *Whitbread.* I am entirely innocent of any intention of treating the Prince of Wales with disrespect. When such an assertion was made, I should have been highly blameable if I did not notice it. If any part of my observations appears to the noble lord to bear such an inference as he has drawn, I can only say, that he is mistaken. I never meant that which he seems to suppose.

Lord *Castlereagh.* Having heard the statement of the hon. gentleman, I perfectly acquit him of having intentionally used any expression calculated to produce the impression to which I have alluded. [Here the matter terminated.]

Lord *Castlereagh* then proceeded with his speech. He called on parliament to look at the hon. member's proposition, and see if they could agree with it upon any principle consistent with expediency or justice. For what was it that this champion of the liberty of the press asked them to do for the purpose of vindicating the Princess of Wales from aspersions which he said had been cast upon her—why truly at the distance of about a fortnight to punish two newspapers for having published the whole evidence, on a matter of much interest to the country. The course he wished to pursue was, to point out to the House, the disagreeable situation into which they might be brought, if they did not minutely examine the motion before them. The proposition was, to bring two printers to the bar of the House, or to agree to an address, which would occasion their prosecution by the Attorney General, for having published certain depositions, after all the leading documents were placed before the public. He did not mean to argue in justification of these disclosures. In every point of view they were to be deprecated as injurious. But this he would say, that those who first commenced the publication of those papers, were the persons to be censured. They all knew that the other documents were not confined to the recesses of the state alone—they all knew that they had found their way into the hands of individuals; and, if one set of persons disclosed a part of those documents, it was not to be expected that others would suffer the remainder to be concealed. It would never be left to one party, in a matter of this description, to publish what would lead to false conclusions, affecting public men, either in that House, or elsewhere, without an effort being made to give a more fair view of the subject. On that point they were perfectly clear; they knew where the disclosure began, and he would now say

what he had observed on a former occasion, that when the disclosures once commenced, a very strong necessity would arise for going on. But did the hon. gentleman really think he could persuade the House that they ought to procure the arrest of those printers? Was it not a proof how little the faculties of parliament were calculated to meet this subject, when the hon. gentleman having given notice of a grave motion, for the purpose of procuring the prosecution of lady Douglas for perjury, suddenly abandoned that intention?—He found there were insurmountable objections to it—and, after entering into a long argument on the question—after making his own partial comments on the documents, when he knew it was quite impossible for any gentleman then present to speak to the facts, he forgot to redeem the pledge he had given, and instead of lady Douglas, he ended with a motion perfectly ridiculous! The House must perceive, that the motion was only introduced as giving an opportunity of making the speech which preceded it.—Finding that he must abandon the prosecution of lady Douglas (because there was nothing within the whole scope of their experience, by which parliament could be guided in its proceeding on the subject), the hon. gentleman was at last compelled to shelter himself by retreat. [Mr. Whitbread was walking out of the House at this moment, which circumstance, coinciding with lord Castlereagh's observation, occasioned great laughter.]—Really, from the course of the hon. gentleman's argument, the House might suppose, that, instead of desiring some proceeding to be taken with respect to the Princess of Wales, he was anxious to shew that there was no necessity whatever for any interference of parliament on the subject. His principal object seemed to be to examine the conduct of the four commissioners, who had conducted the enquiry, and he thought he ought, in justice, to have informed his hon. and learned friend (sir Samuel Romilly) of his intention, and of the line of argument he intended to pursue, in which case, he was sure, that learned gentleman would not have fled from the defence of the persons with whom he was joined in the commission. That hon. and learned gentleman had declared the legality of their proceedings, and had admitted, that he was the person who, in his judicial character, and as their secretary, took down the depositions, read them over to the persons concerned, and saw that they were legal, correct, and just. It was to be regretted, therefore, that that hon. and learned gentleman, had not staid in his place to contradict the statements of his hon. friend, the more so as the other persons being peers were precluded from that opportunity of justifying themselves, instead of leaving lord Ellenborough and lord Erskine in the disagreeable situation in which they at present stood, under the charges of the right hon. gentleman. It was not for him (lord Castlereagh) to discuss the merits of these noble persons, and the learned gentleman, who was, at the period alluded to, solicitor general; neither was it for him to enter into or pronounce a judgement upon these depositions. He protested, as he had done before, that the House was not fit to entertain the subject, either with a view to the happiness of the parties concerned, or with reference to the preservation of the tranquillity of the country. They had no right to assume powers unknown to their regular functions, under the specious plea of administering justice. They were incompetent to this duty. It was not within the scope of their functions; and in his opinion, whatever the hon. member might think of it, neither the act nor the attempt was calculated to produce peace in the country, or tranquillity in the minds which deserved to be tranquillized. The hon. gentleman observed, that he understood him (lord Castlereagh) to have given a verdict of acquittal on the subject. He denied that he had ever done so; for he did not find himself, as a minister, in a situation which rendered him more competent to come to a decision, than that in which he stood as a member of parliament. The opinion he gave was not at all shaken; and he again repeated, that he did most distinctly explain to the House, that the opinion which he formed, when in another council, and with different references, was perfectly consistent with the opinion which he gave in the cabinet of the duke of Portland, in 1807. He had given his vote on a general view of the evidence, but he had not proceeded to a minute decision. In the opinion he gave, in a late council, that the intercourse between the Princess of Wales and her daughter, should continue under regulation and restraint; he meant not to impute criminality to the former, for he begged again to be distinctly understood as not assuming any functions which did

not belong to him. He founded that opinion on what he learned in the year 1807, and on no other circumstance. But he begged to refuse the exercise of functions which he was not called on to make use of; and, in the duke of Portland's administration, he was not directed either to try the guilt or innocence of the Princess. In the Portland cabinet there had been no exercise of judgment on the guilt or innocence of the Princess of Wales, but the delivery of an opinion on the documents laid before them.—They knew the law better than to pronounce such sentence. Much of the evidence against her had passed before him; but that part, which went to exculpate her, could not be brought before him. He was not exercising a judgment on the guilt or innocence of that illustrious personage—he was called merely to give an opinion on the documents laid before him. That opinion he gave in the words which he had used on a former occasion; but it was not on his *dicta* that the hon. gentleman should state the innocence of the accused party—every subject of the realm must be considered innocent till proved guilty by due course of law. If it had been the opinion of the cabinet, from a consideration of the depositions, that she should be put upon her trial for high treason, his concurring in that opinion, if it were his, which it certainly was not, would not have shaken the right which she, and every other person in the realm, possessed, under the law, of being deemed innocent till she was declared guilty. He was not competent to convict or acquit her. Her conduct was not brought before the council for that purpose. And he agreed in the sentiment of lord Grenville's cabinet, that it was foreign from their duty to exercise such a power. The Minute of that cabinet was as follows:—"We are fully convinced that it cannot be your Majesty's wish, that we should lay before you a detailed account of the proceedings which have been instituted by the legal advisers of the Prince of Wales. And we beg leave, with all due humility, to state, that the laws have not placed us in a situation to decide on the guilt or innocence of any subject of the realm, much less on a person so nearly connected with the royal family."—He adhered to the principle laid down in that Minute—it was not their duty to try, in any judicial sense, her Royal Highness. But, looking at all the circumstances before them, it was for them to say, whether some proceeding should not be had against her—and, in the words of the Minute, "it was not deemed expedient that any further proceeding should take place," an opinion which he considered indispensible to the cause of justice.—The hon. gentleman observed, that this transaction must come to a decisive point, one way or other—and what was the decisive step he advised them to take? Why, to hasten that crisis, a prosecution of two newspaper proprietors was the only measure which the deliberative wisdom of the hon. gentleman could devise. What did he mean by this? Did he think it necessary to institute this trial for the purpose of proving the innocence of the Princess of Wales? Would a mock trial of this nature have that effect? The very idea was absurd. How would this affect the question as to the Princess of Wales? Whose honour, he should be glad to know, would be proved by the trial of those persons? The expediency of any farther proceeding was negatived by the cabinets of the duke of Portland and lord Grenville—all the depositions were delivered to her Royal Highness, who made such observations on them as she thought fit, and had affidavits sworn in contradiction of them—but still the subsequent opinion of those cabinets was, that no farther proceeding should take place. The hon. gentleman had not distinctly pointed out what course was to be pursued. He seemed desirous that a fresh examination should be instituted; but, for his own part, he could not consider any person a wise and prudent protector of the honour of the Princess of Wales, who would call on parliament to pursue such a course, if they were competent to do it, which, he contended, they were not. With respect to the recent examinations alluded to by the hon. member, he would neither admit or deny that such examinations were going on. He had on the other night declined answering the hon. member's questions, and his reasons for not giving any answer to the questions which were then put to him, still remained in full force. Nothing that he had heard from him this night, had satisfied him that in propriety or wisdom, he ought to depart from that determination. He was resolved to give no answers on the subject, till he saw in what parliamentary manner those answers would be applied. He would not answer the questions of the honourable member; but he would say, with perfect decorum, he would not answer his questions as to what happened out

of that House. He would not submit his public conduct, or as a minister of the crown, to be catechised by the honourable member to see if he approved or disapproved of it. He must lay parliamentary grounds for his propositions, and on the present important occasion, though on matters of minor consequence, it might be convenient for the dispatch of business to allow in courtesy of question and answer, he saw enough of this subject to resolve him not to relax. He would neither agree that the documents should be produced, nor would he, in his place, as a minister of the crown, answer any interrogatories, till he was thoroughly satisfied of the parliamentary proceeding which was intended to be instituted. If the Princess were placed on her trial, then, of course, she would have the protection of the law for her defence. But the House ought to take care of those defences which were not according to the law or constitution of the country, but arose from that sort of clamour which was the worst description of defence any person could have. He was not aware, that there was a disposition in any quarter, to deprive the Princess of Wales of all proper protection; on the contrary, there was every desire to afford her the utmost protection of the law.—He thought he had said enough to shew, what an ill effect the constant agitation of this subject in parliament, without any specific object, must have on the public mind.—The hon. member had not been able to state any measure more specific than the prosecution of two printers. Now, when he consented to this sacrifice of the liberty of the press, it was to be hoped that he would have acted on a broad and liberal plan—and, instead of making the invidious selection which he had done, that he would have moved for the prosecution of all persons who had published those documents.—Indeed, it appeared to him, that these two newspapers had been very tardy in committing the sin of disclosure. His lordship concluded by observing, that he would oppose the motion, as relating to a transaction in which parliament could not interfere, with advantage to the cause of justice, to the parties concerned, and, above all, to the safety and tranquillity of the country. Let them look soberly to the state of the question, and not allow their passions to be misled by the hon. member. Instead of their agreeing with him they would take no step, except they saw that it would be consistent with the welfare and peace of the country, and with the honour and dignity of parliament.

Mr. *Ponsonby* said, he must confess that some parts of the speech of his hon. friend did very much surprise him. He was not at all aware, being ignorant of those proceedings, that any blame could be attached to the four Commissioners, who, in 1806, were directed by his Majesty to proceed with the investigation. But, if what his hon. friend asserted was correct, it was impossible for him to acquit them of blame, of very great blame, as having submitted to the crown a deposition, purporting to be the result of a witness's evidence, when that deposition was not borne out by the examination. Nothing could be more censurable than this, which he might call a judicial forgery. He, however, was of opinion, that the zeal of his hon. friend had misled him; that he had been deceived by the person who put into his hand that unauthorized and unvouched paper, which he had that night produced in opposition to Mrs. Lisle's deposition; that those four Commissioners had done the crown and Mrs. Lisle justice, and had not submitted what her evidence would not fully bear out. From the high situation of those four Commissioners, being all peers, they could not be present to explain their conduct; and he was extremely sorry too, that his hon. and learned friend (sir S. Romilly), who acted as secretary under the commission, had quitted the House previous to the charge being made. If a deposition was submitted to the crown, not warranted by the evidence, his hon. and learned friend (and he would speak his sentiments openly) must be as culpable as any of the Commissioners. But he would rest on the known probity and character of those noble lords, he would rest on the known probity of his learned friend, his opinion, that nothing was submitted to the crown but what was warranted by the evidence. He had, however, endeavoured to supply the absence of his hon. friend, by writing to him a note, in which he stated what had passed, and requesting his presence in the House, so that he would probably be in his place before this debate was finished, to give some explanation on this subject to the House.—With regard to the motion, he would give it his support; but from reasons in many respects different from those urged by the hon. mover. He believed no man in that House, or out of

it, could venture to assert, that he had, on any occasion, interfered improperly, or interfered at all in those unfortunate dissentions which existed among the royal family. He had voted against the motion the other night; and if the motion this night was for the prosecution of lady Douglas, he would vote against that also; because he could not conceive any good that would arise from such a prosecution. But what was the motion then under consideration? It was a motion calling for the prosecution of certain printers of two newspapers for publishing the depositions relative to the Princess of Wales; but if the hon. gentlemen opposite would rather that all who had offended should be prosecuted, if they had thought it better that every printer who had published those depositions should be punished—he would vote for that also. He had no objection to the motion so extended, and would vote for the punishment of all who had published these depositions. In the speech of the noble lord, he observed a very great fallacy, in thinking these not more reprehensible than former publications. The noble lord had spoken of those with whom the publication of the documents commenced; but he should have recollected, that, in the first publication, there was nothing which was shocking to the mind or to public morals, while those which had been lately produced displayed such a scene of pollution and infamy, as was not to be equalled in any family of high distinction in Europe—much less in one exercising the powers of sovereignty. He would put it to the candour, the honour, the feeling of the House, was it fitting that publications, such as these, should be permitted to be continued in a civilized country? He did not wish to stir up seeds of strife—he did not wish to give one party an advantage over another; but he was desirous of putting an end to such disclosures altogether—he wished to remove the frightful exhibition now held up before the public. What would be the consequence if such a system were suffered to go on? Every vile and filthy anecdote that could be collected together would be disseminated through the country. And who would the House then have to blame? Why, itself, and itself only—for when a motion was made to put a stop to such proceedings as those, the House refused it—and by that means encouraged the depraved taste which was growing up in the country: they would not punish the offenders brought before them, and thus gave a sanction to others to follow their impure example. If the House pleased to gratify the malignity of any party, by keeping such scenes before the public eye, they would reject the motion; but let no man hereafter in that House raise his voice to complain that there was a spirit in the country eager to traduce or degrade royalty—let no man complain, that there was an antimonarchical faction in the empire—let no man complain, that there were persons anxious to make a traffic in family dissentions, only as a grade to raise themselves to power.—Let the House hear those reproaches no more—for let who would be the persons who began these publications, a motion was then made, which, if carried, would put an end to such proceedings;—if the propositions were agreed to, the House would overthrow the system—if they rejected it, the system would be encouraged; and, he would venture to predict, that before a month was passed, they would have bitter reason to regret their own improvidence.

Mr. *Bathurst* said, the right hon. gentleman had certainly taken a very different view of the question from that urged in its support by the hon. mover, and had promised his vote on grounds widely dissimilar from those which influenced that hon. gentleman. He had however argued the case with some shew of reason, which entitled him to a statement of the opinions of those who found they could not concur in sentiment with him. He would not enter into the hon. mover's attack upon the four peers, who had acted as commissioners upon the occasion alluded to, but merely notice that the whole course of the speech with which the motion was prefaced, led to a conclusion to which, in a parliamentary view, that speech had not the slightest reference. When the hon. gentleman talked of a crisis, his motion had no more connection with that matter than it had with a motion for an adjournment of the House. For what would be the result if the prosecutions he proposed should be instituted? How could they accomplish his avowed object? And beside, for what offence were they to be resorted to? Not for calumny, for the newspapers had not invented the matter, nor were they the authors of the documents. Their crime it seemed, in the eyes of the hon. gentleman, that they had published the whole book, and not partial extracts to

prejudice the public in any way. Their only offence was that of presuming to publish all the evidence, and if convicted of this, what would that conviction do towards vindicating the Princess of Wales? But the right hon. gentleman who spoke last had gone on another ground, and wished to punish these publishers for the indecency and gross impropriety of their offence against the public morals; which, he said, was so great that it ought not to be overlooked. Let the House then look at the subject in that light, and not couple the question with considerations altogether distinct. If they did so, and agreed to the motion on these arguments; if they once began to act as *custodes morum*, they might be assured they would very soon have their hands full of this sort of business. He put it to them to say, if there really was any thing in this so offensive to public morals as to call for their interference. The right hon. gentleman had cautioned them that if they did not take this step to night they would have no cause to complain of the existence of such evils, nor any right to apply a remedy to them hereafter. In his opinion a very great distinction was to be drawn. These documents were not the invention of the printers implicated in this motion; they might at one time have been published by the Princess of Wales herself, and if they had been so published, would any one say that the publication would have subjected her Royal Highness to pains and penalties, such as were now proposed to be inflicted on these printers. These papers were matter of history; not productions inserted for party purposes, to gratify malignity, or convey partial or mischievous impressions. When indecent trials were published, for the sake of justice, no one thought of prosecuting their authors. These were not original inventions and he did not see that by passing them over the House was precluded from any subsequent measures, or from taking up any offence in future which they might deem worthy of their interference. They ought also to look a little to the cause of these publications. The first door to them was opened by those who printed the Princess of Wales's letter, and after that ill-advised step, it was not to be wondered at that persons in possession of the whole documents should feel themselves at liberty to make them public, in order to do away the false impressions made by the promulgation of partial and garbled extracts. Under all the circumstances of the case, he considered the laying of the whole before the public to be no offence.

Lord *Milton* said; that had the motion related to the prosecution of lady Douglas, it would have been a matter of much doubt how he should have given his vote; but as the hon. gentleman had changed his course, no doubt remained on his mind in what manner he ought to decide. If the House did not interfere on this occasion, it never could in any case hereafter. The press, in this case, had transgressed the bounds of morality and of decency, and he called on the House to visit on the publishers of the disgusting and obscene documents complained of, the just vengeance of the House. This was the more necessary, when they considered the high situation of the parties affected by these shameful publications. He therefore warmly contended for the prosecution of the printers; as if they were suffered to escape with impunity, a bad example would be set to others who saw the gross breaches of public decorum which were allowed to be committed without punishment.

Mr. *Cartwright* conceived that no good could result in this instance from parliamentary interference. He lamented the nature of these publications, but blamed those whose first publication of the Princess's letter had naturally led to them, as the source of all the mischief that might ensue. That letter contained paragraphs calculated strongly to excite public opinion in a certain direction, and he could easily enter into the feelings of persons who deemed it right that there should be no partial statements of this important business; but that, if any part came forth, then that all should appear before the country. The hon. mover had in conclusion said that his object was conciliation—for his part he could imagine nothing so well calculated to insure this blessing than to abstain from such speeches and motions as the hon. gent. had just made. He earnestly hoped that this would be the last of these attempts, as it was impossible to see that any good could result from them; and on the other hand their tendency to confirm and increase all the mischief, the removal of which they pretended to have in view, was sufficiently obvious.

Mr. *Stephen* acknowledged that he had read these papers not only with pain but with grief; but he had read documents equally disgusting in other papers, and in some of them before last Saturday. But

he rose to speak to another point. He rose in consequence of an attack on the memory of an illustrious friend of his, the revered and lamented Mr. Perceval. When the hon. mover took merit to himself for not doing justice to the memory of that virtuous minister; when he talked of sparing his character by not drawing a comparison between his conduct on a former occasion, and that of the hon. gentleman himself now, it was barely possible to listen to him with patience and moderation. Mr. Perceval had undertaken to superintend a book containing the evidence in the case of the Princess of Wales, for her Royal Highness as her defence, and if as her advocate he had omitted any passages, to what would he have exposed her and himself? to the charge of having omitted and withheld parts of the testimony, and thereby invalidated the whole. He believed that this was the first time the mention of immorality had ever been connected with the name of Perceval, or that he had been accused of disregard to the decencies of life, who had been so eminent an example of respect to them all. But did the hon. gentleman mean to say, that as the Princess of Wales's counsel, in an appeal she was about to make to the public, he had any choice in altering or abridging the evidence on which that appeal was founded?—And what was the letter which had been called—"threatening?" It was written upon the supposition that by her exclusion from court being enforced, a sanction would be conferred not only upon the charge of levity, but upon the more serious accusations which had been brought against the Princess—that she ought not to acquiesce in this ignominy, but afford the public an opportunity of judging of her conduct. Ought Mr. Perceval, in this case, to have garbled the evidence? Even the hon. gentleman, with all his predilection for garbling, would scarcely say that ought to have been done. If a line had been suppressed, the argument would have been against the Princess. Suppose any part of the depositions had been left out, would it not then have been said that her Royal Highness had made an insidious and unfair appeal? Yet such was the argument of the hon. member, and he deplored that her Royal Highness's case had fallen into such hands. He deeply deplored that her Royal Highness had not such advisers now as she had at that time. It would have been well for her and for the public; and her defence would not have fallen into such injudicious hands as into those of the hon. gentleman this night. It was truly said,

> "An open foe may prove a curse,
> But an imprudent friend is worse."

(A laugh from the opposition bench.)—He was glad to see the hon. gentleman so jocose now. He had tried to be very pathetic in his speech, almost tempting him (Mr. S.) to take out his handkerchief, and to beguile himself with the idea that there was really a tear in the hon. gentleman's eye. His present merriment proved this to be a mistake. Not being pathetic, he might be allowed to say, the long inflammatory argument of the hon. gentleman had turned entirely on this, that the Princess of Wales had not now a full acquittal. He was not satisfied with the acquittal of the Grenville Cabinet; with that of the Portland Cabinet; with that of the great and revered body who had lately investigated the matter; but out of regard to her Royal Highness would set all afloat again. This knight of the lanthorn, who stood forward to defy all accusers of the Princess; what was the lance he broke? A tilt at and prosecution of the Morning Post and Morning Herald newspapers. What, then, was it by this he was to prove the Princess of Wales guilty or innocent?—The hon. gentleman had undertaken a heavy responsibility by reading the paper relative to Mrs. Lisle's evidence—that paper from which he had drawn accusations against four noble lords, and the learned gentleman now in his place, (sir S. Romilly, who had come in)—accusations which, if true, proved that they had acted in a manner highly perfidious to the trust reposed in them, and dishonourable to men in any rank in life. For what was the charge? That they had put words into the mouths of witnesses which they had never used, and extracted evidence by means of questions improper for a judge to put, and which would not have been permitted if the parties had had any legal advisers with them. If these were so, these noble lords were more reprehensible than he had words to express. But he doubted the hon. gentleman's information. He ridiculed the knight errantry of the hon. gentleman, which, instead of procuring the evidence to be revised, was evaporated in an attack upon two editors. As for that conciliation which, he said, belonged to the letter he had written for the Princess, and read

to the House, he (Mr. S.) did not see all that conciliatory temper in it. To him it looked more like a triumph on what had passed in that House. But he gladly relinquished the subject, having fulfilled the object for which he rose, to vindicate from the aspersion of want of a reconciliatory spirit between man and wife, in Mr. Perceval, who was himself an ornament to the conjugal state.

Sir *S. Romilly* said, he understood that since he left the House, a statement had been made by his hon. friend nearly affecting himself, of which he might have expected some previous intimation, and which he regretted he was not present to hear, having been called away by an indispensible avocation. He did not impute it to any want of candour on the part of his hon. friend that such a statement took place in his absence; and he was extremely sorry it was not possible for him, at that moment, to give the explanation that might be wished. From the account of this statement which had been communicated to him, he was extremely sorry that he cou'd not give that explanation, but still he believed that what he was enabled to state would prove so far satisfactory to the House. The House would have in its recollection, that he stated on a former evening he had been present at all the examinations but one, on which day he did not receive the notice time enough to attend. He had to repeat then, that he was present at every examination held by the four Lords Commissioners in 1806, except one; and it unfortunately so happened, that this was on the 3d of July, the day on which the examination of Mrs. Lisle took place. He was sorry it so occurred, not only for himself, but for the noble lords whose conduct had been questioned. But unless the examination of that lady was conducted in a way very different from that of every other examination, he must assert, that it was absolutely impossible that the statement of it, as given by his hon. friend, could be the true one. The mode of examination was this:—the witnesses were examined almost exclusively, by lords Ellenborough and Erskine; the questions which they put, were never taken down at all—and he (sir S. R.) being the only person present, besides the Commissioners and the witness, took down only the answers of the latter. This, indeed, was the course uniformly followed in all examinations before a magistrate, and he would again repeat, that no one question was ever taken down. If upon oath, he was ready to declare, that he took down the evidence precisely and literally in the words of every witness; it was then read over to each of them, or they read it themselves, and in some instances made alterations suggested by such perusal, and then signed the whole. He had to add, that there were no copies of the evidence taken by the noble lords, or the least alteration introduced by them; but the whole original examinations, in his hand-writing, were submitted to the privy council. On the day when he was absent, the evidence was taken by one of the learned lords then present. There was, therefore, no possibility of the paper produced by his hon. friend being authentic, unless the noble lords followed a different course that day from what they had ever before done. He would leave it to the House to judge of the probability or possibility of such an alteration of procedure, and the evidence would be found in the hand-writing of one of the noble lords, there being none else present on that day but the four Commissioners. Having said thus much, he would take the liberty of adding, that in his opinion the examinations were taken throughout with the utmost impartiality, and rather with a leaning to find the Princess not guilty of the charges brought against her.

Mr. *John Smith* thought that a species of disgrace attached to all of those who did not use every means in their power to suppress these scandalous publications. Did not every one wish to hide them from his family, and from his servants? From the known character and sentiments of the hon. and learned member (Mr. Stephen), he expected that he would have been clamorous against them; but, somehow or other, it so happened that his morality always chimed in with the directions of ministers. He was no friend to prosecutions for libels, but this was one of those cases in which a public vindication of the illustrious personage who had been so atrociously aspersed would be gratifying to the feelings of the country. The public feeling was strong on this subject, and that feeling ought never to be despised. He was sure that the Princess had been hardly dealt with, and in a manner which would have been thought harsh if exercised against the wife or daughter of any man in that House. He was unwilling to prosecute for libel; but very lately he had seen a printer convicted of a calumnious

publication against an illustrious person, and should the House refuse to interfere to vindicate the honour of an injured woman?

Mr. *Stephen* explained, that he had expressed the utmost abhorrence and detestation of the gross and scandalous nature of the publications in question.

Mr. *Lascelles* wished to learn in what sense the publishing the depositions in council could be called a libel? The publishers might have published them without authority, but they were not libels. Admitting, as he most fully did, that the publication of such documents was most degrading and reprehensible, he thought it ought to be considered that the depositions alluded to had long been in the hands of many persons, that some forbearance had, therefore, been shown on the part of the editors, and that the eventual publication was in some degree to be attributed to the provocation of the original publication from the opposite quarter. He expected nothing less, when he came to the House to night, than to hear a motion made either to bring her royal highness the Princess of Wales to a trial, or to indict lady Douglas for perjury. He was astonished when he found this important proceeding brought so low, as to end in the prosecution of a printer of a newspaper. He could not understand what would be the effect of a prosecution of these printers for a libel: nor indeed could he see, how the publication of proceedings before a privy council could be called a libel. He agreed with all those who thought the published details were in the highest degree disgusting and disgraceful: but he thought the House, before it proceeded to vote, should be assured of the practical benefit of the motion.

Mr. *Preston*, who spoke amidst frequent interruptions and loud cries of question, was against the motion, and thought that no ground of libel could be laid.

Sir *T. Plomer* said, if the attack made on the former legal advisers of the Princess of Wales had been confined to himself, he should have been silent: but as the character of his deceased friend, and of another eminent person, was concerned, he should, with the indulgence of the House, explain the reasons which influenced their advice to the Princess. When they were called upon to consider how they should act in justification of her Royal Highness against the charges brought against her, they had to deliberate what would be the public sentiment, if they were left in the dark as to the result of an enquiry affecting her honour and her life: whether the character of the Princess would not, in such a case, suffer severely by exclusion from the royal presence. On the best judgment which he could form, as to the good and evil likely to result from the publication of the investigation, and not ignorant of the objections which lay against such a proceeding, still they thought that the vindication of her innocence required that the whole should be put before the public. Whether such judgment was right or wrong, certainly it had not been their intention to calumniate or traduce her Royal Highness, but to justify and acquit; nor did it appear probable to him that the present publication of the Book could be influenced by a malicious motive. When the object of admission to the royal presence had been obtained, the publication was immediately abandoned, and such inviolable secrecy preserved respecting it, that he had not even trusted himself with a copy, either printed or manuscript, of the proceedings: and in this secrecy he believed it would have still remained, had not the partial statements of one side provoked counter statements on the other, and thus led to a complete disclosure. As to the question whether the publication were a libel, his opinion on this subject must appear interested, for he could not call the work a libel, unless he meant to accuse himself formerly of such libellous intention, or supposed that the Princess meant to calumniate herself by the statement which was made for the purpose of her vindication.

Mr. *Tierney* rose to animadvert on the first part of the speech of the hon. and learned member who had just sat down, which contained the most complete justification of the motion of his hon. friend, and which unless it were contradicted by an equally competent authority, would go to lay it down that the publication of the investigation was no libel. The hon. and learned gentleman stated that they, the advisers and friends of the Princess of Wales, had brought forward this publication of the Book as necessary to screen her from the inferences from the secret inquiry. He should be glad to know how that necessity was less now than formerly? A secret enquiry had been carried on in 1806, it was necessary to do some-

thing to screen her from the consequences, if the surmises which would naturally follow remained uncontradicted; a secret enquiry was, it seemed, going on now; and was nothing to be done at present for her vindication? The two cases were perfectly parallel; the argument went on all fours. He should not now examine into the manner in which the evidence had been suppressed, and so studiously suppressed, that large sums of money had been offered for a copy of the work. It had been said that the Princess was desirous to have it suppressed; he believed, that others had suppressed it for her. But to concede this point for the sake of the argument. It was inferred, because she was received at court, this set every thing right; she was upon the footing of any other person; there was an end to the question; the three lawyers were completely satisfied; the book was no longer of any value; and the putting her foot in St. James's was supposed to whitewash all stains. But was she now received at court? Was she now in the situation of every other person? So far from it, she was not even allowed the intercourse of her own daughter. She stood therefore now in the situation in which she stood when her legal advisers thought the publication necessary; and now as then some steps should be taken to clear her character. If this had been known at the time, that she would be received at court, but was to be debarred from the society of her child, would she then have been willing to suppress the evidence? Would she not have thought some farther vindication necessary? Nothing new had happened since that period; no new accusations had been hatched; and he could not comprehend how, standing in precisely the same situation as she did, when the learned gentleman took his station at the bookseller's door, ready to give his publication to the world, in vindication of the Princess's honour, how that learned gentleman, the former adviser and advocate of her Royal Highness, could withhold his assent from a motion calculated to vindicate her honour. No one felt more strongly than he did the disagreeable nature of the duty imposed upon them, but matters were come to a crisis, and something must be done sooner or later, to meet that crisis. If the noble lord over the way would state, as he had been pressed to do, that any measures were taking to come to a decision one way or the other, to give the House and the country satisfaction—he wished the noble lord would attend to him, because he had professed himself ready to give an answer if any one would give him a reason for so doing. If he would only assure him that any such measure was in agitation, he should not hear one word more from him on the subject; he would close his lips, and await the result in silence. All he insisted on was, that they ought not to remain in their present situation. He could discern by no gesture or look of the noble lord, whether they were to remain in that situation or not. But waving this question, he wished to know by what authority Mr. Conant had called for the evidence of any person on the subject; why the privy council, being still in full vigour, if not abounding in wisdom, he (Mr. Conant) should undertake to meddle with matters of state? It had been said by the learned gentleman, that the Princess of Wales could not intend by the documents which were published to criminate herself. True; but he wished to know who were the recriminating party. These, he believed, were those of his Majesty's ministers, who were not satisfied of the innocence of her Royal Highness, who were not quite sincere in their professions on that point, and who published these documents with very different motives from those which had actuated the learned gentleman and his colleagues in 1807. He did not understand what the opinion or declaration of the noble lord on this subject was on the first night he had spoken on it, nor on the second night he had spoken on it. There was some difference between the two, but he could not tell what. On the first night he seemed to incline to a complete acquittal, on the second he either retracted that opinion, or qualified it in a very ambiguous manner. Indeed, he was not singular in the misfortune of not always understanding that noble person; those who were nearer to him, and who heard him more distinctly, did not seem to know what they were to think. An hon. and learned gentleman (Mr. Stephen) had even gone so far as to declare, that there was not one dissentient voice as to the complete innocence of her Royal Highness. But the practical result might be expressed thus, "Madam, we have not been able to prove you guilty, and therefore we are compelled to consider you as innocent."—When a person of her rank was so treated,

so tantalized with a mockery of justice, would any one say that it was not competent for that House to interfere, to urge the privy council to a more explicit decision, to urge the executive government to give effect to that decision?—The Princess had appealed to the House of Commons for redress, and surely the nature of that House was much changed, if when a secret investigation was again set on foot; if when witnesses were again privately examined, who had been publicly declared perjured, they could not interfere effectually for that purpose, not by exercising jurisdiction themselves; but by remonstrating against the abuse of it in others—by not suffering the government any longer to trifle with the feelings of her Royal Highness or the public. This was a privilege which they could always exercise in the case of the meanest individual, brought before any tribunal in this country. But on the supposition of the Princess being brought to a regular trial by her peers, the effect of these publications was to prejudge her in the eye of the public, to supersede the authority of the Minute of Council, and to revive all the old absurd gossiping charges, which had been exploded. He did not pretend to speak from his own knowledge, but there were strange rumours afloat. His Royal Highness might have had advisers—he suspected he had had bad advisers. He would suppose that he knew the person who advised the publication in question, and that the House knew him, would there be a doubt that they would condemn him, that they would pass the severest censure upon his conduct? But till they did know who the person was, they must, *prima facie*, charge this measure on the ministers. If it was not their doing, had they no suspicion, no means of ascertaining who was the real author?—People talked of conspiracies, of a conspiracy between the Douglases; but there might be conspiracies and collusion elsewhere. If the ministers were accessary to this act, there were no terms of execration strong enough to express his abhorrence of their conduct. If they will publish their own case, let them publish a case which they believe, not one which they have over and over again declared to be false, malicious and unfounded; if they will appeal to evidence, let them not appeal to that which they themselves declare to be perjured and degraded evidence, nor consider this as a necessary set-off against the verdict of acquittal pronounced by the privy council. With these floating rumours, with these contradictory opinions, with all these whisperings and conspiracies, and secret examinations, the character of the whole of the royal family was falling into contempt, and nobody could tell where it would end. He was not for prosecuting the printers of the papers, but thought that they ought to be called to the bar of the House, to answer by whose authority they had published the depositions before the privy council, and from whom they had received them. He should move this as an amendment to his hon. friend's motion, if he were encouraged by the House.—[A cry of move, move!]

Mr. *Whitbread* said, he should not object to withdraw his motion, to make room for the amendment.

Mr. *Tierney* then moved, That the printer and publisher of the Morning Herald, and he afterwards added, and of the Morning Post, do attend at the bar of this House to-morrow, to answer to these questions.

The amendment having been put,

Mr. *Ryder* observed, that the hon. mover had been most unfortunate in not being able to get one person to support his motion. The hon. member had now abandoned it for the amendment of the right hon. gent. which amendment would not meet with his support, as he would not be accessary to the House exerting an act of authority which might be rendered nugatory by the individual refusing to answer. Upon this ground alone he would oppose it; but he was not aware of any good purpose any motion on the subject could answer, and he should therefore oppose all others of the same kind.

Mr. *Wynn* should vote for the motion, not on the views of the hon. mover: he did not wish to interfere in the unfortunate quarrel: he wished that the authority of that House should be exerted to prevent further disclosures. He feared that there was ground of apprehension that all were not yet published.

Mr. *Canning*, when this subject had been before submitted to the House, had expressed that he felt the greatest pain, and those feelings were not at all diminished by his disappointment in being again called on to discuss any thing connected with the present subject. The object he had in view was, to consider how this question could be most advantageously disposed of; the last motion had occurred

to him; he had deliberated on it much; and upon as mature a consideration as the time had allowed, and upon the most impartial view he could take, he considered it as less objectionable than either of the other motions which had been submitted to the House; but he would wish that one more chance for conciliation were given by rejecting the present motion. At the same time he did not mean to impute the smallest blame to the hon. mover; he would bear his testimony, humble as it was, to the talents, the eloquence, and the temper with which he had brought it forward. He would agree, that the atrocious publication, which had been so much animadverted upon, called for censure; but he hoped the hon. member would forgive him, if still he thought it expedient for all parties, and for the sake of quieting the agitation of the public and the country, that if possible the House should go through this trying crisis, without taking any step. But the patience of that House might be pushed too far, and even those who were at present the most unwilling, might feel it an imperious inevitable duty, if there should be a prolongation of the discussion out of doors, that an end should be put to the public anxiety, as to whether any proceedings were going on with a view to a further investigation of the Princess of Wales's conduct, and for that purpose, originate some proceedings in that House. He thought that this would be the case, if the present suspense of the public mind were continued much longer, if they were not suffered to know the real intentions and sentiments of ministers. He should not have risen to-night, had it not been for some allusion made to transactions in which he bore a part. As far as he was concerned, the minutes of the council in 1807 were a perfect acquittal. If any proceedings were instituted with a view to a further investigation, and if such proceedings were avowed, it was the duty of that House to abstain from all discussion on the subject as long as such proceedings were stated to exist. The House ought not to take any step without the most mature deliberation. If the printer should be called, no man could say to what it might extend: the object might be defeated by the contumacy of the individual; other gentlemen might call other printers, and the House might find itself involved in almost endless proceedings. However, the patience of the House must at length be exhausted, unless all parties should take a warning from the feeling expressed by the House, and a period should be put to that agitation which at present inflamed the public mind. A degree of responsibility had been stated to attach on all who were members of the cabinet of the duke of Portland. For himself, he would say, that his conduct had been perfectly consistent: in 1807 he had raised his voice in the language of entreaty, of supplication, against the printing of the proceedings by his right hon. friend, in the vain hope of being afterwards able to suppress them. His uniform language had been, if you print you publish. Even the sacredness of private friendship gave way on such occasions, as was instanced in the case of a remarkable pamphlet of lord Bolingbroke's, which had been committed by him to Pope to have printed, with strict injunction to destroy all but one copy: but on the death of Pope, 1,500 were found in his closet. Such was the weakness of the holds on human confidence. Before that discovery, no person could have supposed that Pope would have betrayed his trust to his dearest friend. When the book was printed, he received a copy for his private perusal, as did all the other members of the cabinet. On the receipt of it, he wrote a note to his right hon. friend to the following effect:—"I have received the book. I am sorry it is printed. I feel assured that it will get into publication; and that it may not be supposed it happened through my copy, I now return it without breaking the seal."—As far as could appear from *ex parte* evidence, the innocence of the Princess of Wales from all crime was completely acknowledged. He was not the man to say that the House ought to interfere with the rights of the husband and of the father: these were merely domestic arrangements. Viewing the situation in which the matter stood, he was of opinion that every chance for conciliation had not been given. Had he been in the councils of the Prince of Wales when he became Regent, without restrictions, he should have exerted himself, not in the vain endeavour to do away personal dislikes, but to bring about such an arrangement as would have preserved the public feelings and public decency from being shocked, and he conceived that ministers must have been highly culpable, if, after the restrictions were taken off, they had made no such effort. Any person who

would have tried, would not, he thought, have found it impracticable, and he hoped it had been attempted. It had been stated, that the exalted female, living in a retirement, without any of the insignia of royalty, had fallen into the hands of bad advisers. He should like to know whether she had the choice of those who ought to have been her advisers. He should like to know whether there had been any thing like an agreement between the officers of the cabinet, to abstain from communication with the Princess of Wales. If there were such an agreement, it could not have been called for; it could not have been gratifying to the Prince of Wales; it must have been gratuitous; his noble and generous mind could never have required it. Not only the Princess, but every branch of the royal family, had a right to the advice of the executive officers. If that advice was refused, on those officers lay the responsibility of the Princess having fallen into improper hands. The letter which was the origin of all those disclosures—for he must be allowed to say, that it was the origin—was, he feared, an insuperable difficulty to conciliation. Until this night he was ignorant, that that letter was written in consequence of a renewed investigation. But whatever he might think of the prudence of writing such a letter, yet as coming from her Royal Highness, it was fit it should be read and answered, if there were the means of answering. That canting paragraph, as to confirmation, as it had been called by a noble lord, if it were not obtruded for the first time, as a make-weight in argument, as a flower of rhetoric, was important. Had it been answered immediately, instead of by the minute through the hands of lord Sidmouth, there might have been a chance of preventing the appeal to the public. The right hon. gent. concluded by expressing his hope that a speedy and satisfactory termination would be put to the discussions on this subject—discussions which overwhelmed the public in agitation, which were tainting the minds and morals of the present generation, and conveyed a legacy of impurity to posterity.

Mr. *Whitbread* said, that such had been the tone and temper of the speech of the right hon. gentleman (Mr. Canning), it appeared to have diffused throughout the House a feeling so desirable, that he would not take off from its expression by indulging himself in any reply to the various animadversions which had been made upon his conduct in the course of the debate, although he flattered himself he could have replied to some of the speakers, and particularly to the learned gentleman (Mr. Stephen) who had been so pointed in his defence of his deceased friend, with some severity and effect. But the conduct of the right hon. gentleman (Mr. Canning) had been so plain, manly, and judicious, his authority, from the situation he held in the cabinet of the year 1807, so great, and his verdict of acquittal so unequivocal and complete, that it would be injuring the cause he had espoused, if he were to say any thing more than was necessary to his own immediate vindication. Much had been said on the nature of his motion. He acknowledged it to be not only such as he was not desirous of making, but such as he could have wished to have avoided. But this was one of those extreme cases, where extraordinary steps were not only justifiable, but necessary. He had intended to move for the prosecution of lady Douglas; that course, he was told by his learned friends, was inexpedient, if not impracticable. Perhaps it might be found impracticable, but, at all events, it was inexpedient, because if the matter could be brought to trial it might be impossible, from technical reasons, to obtain a verdict, although the guilt of the party accused might be incontrovertible. Then the situation of the Princess of Wales would certainly be rendered worse, although her innocence would not be impeached. In these circumstances he had yielded to the opinions of his hon. friends, and had adopted the course which had been recommended by them. Not with a view to the punishment of any particular persons, but to obtain that end to which his right hon. friend (Mr. Tierney) had chalked out a shorter course, to make room for which he had withdrawn his own motion.

He was quite insensible to the paltry, petty, foolish reproving of his opponent upon his attack upon the liberty of the press, and such like stuff, and he was really glad to have afforded to the noble lord (Castlereagh) thereby his only resting place; when he got off that, he was floundering and flinging about in a very disastrous manner.

Upon the subject of a paper of which he had read parts, purporting to be the examination of Mrs. Lisle, he begged permission to state, that having seen his learned friend (sir Samuel Romilly) in

the act of bringing up a Bill just before he rose to address the House, and having, as he believed, seen him in his place after he had begun to speak, he had no conception he was speaking in his absence.

The paper itself had not been communicated to him sufficiently in time for him to have made known its contents to the noble persons whom it concerned. The printed paper, said to be the deposition of Mrs. Lisle, might or might not be correct—he had it only from the newspapers. Such as it was, however, it had made an impression on the public which he thought unwarranted; and believing the questions and answers stated to have been correctly given in the paper placed in his hands, upon the assurance of the person who had so placed it, he should have deemed himself unjustifiable in withholding it, and worst of all, upon the ground of the noble lords in question being all of them persons for whom he had high personal respect. He was bound to deal with them as with the most determined political opponents in such a case. If, however, it should hereafter be proved to him that he had been imposed upon, he would as frankly and publicly acknowledge the imposture so practised upon him, as he had read and commented upon the paper itself. Respecting the proceedings of that night, he was again placed in a situation to make it unnecessary for him to take the sense of the House. The Princess of Wales had been declared innocent by general consent. The right hon. gentleman (Mr. Canning) had consistently, manfully, and unequivocally declared her to be so. The Attorney General had repeated his declaration of her innocence. The learned gentleman (Mr. Stephen) had said there could not be two opinions on the subject. The noble lord, with all change of phrase, had not retracted his former assertions respecting the witnesses, nor had he taken any thing from the value of his testimony to her complete innocence. No one had risen to accuse or give an opinion in the smallest degree differing from those strong individual verdicts in her favour. In these circumstances he should not take the sense of the House; he had rather rest upon the general feeling, and if he were to presume to advise her Royal Highness, it would be henceforward to despise all the publications which might be issued against her—to defy all secret inquiry, and to act as if she were not conscious of the existence of either. To come forth in the way in which she was accustomed, and in which her circumstances enabled her to appear, without ostentation, but with the satisfaction of knowing that the sun shone upon a woman innocent and acknowledged to be so. He reverted to the circumstance of the cordiality and kindness expressed towards her invariably by the King, after the inquiry, and up to the last moment of his mental existence. His visit to Montague-house on the arrival of the duchess of Brunswick, and subsequent, and the unaltered affection of his manner. He again said, the moment of reconciliation could never be deemed passed, and expressed an earnest wish, for the sake of the parties, the throne, and the nation, that steps be taken to put an end to this dreadful national calamity, as it had now become. He was sure on one side, that prudent advice would be listened to, if any opening might be expected for its operation.

For his own part, unless some circumstances, novel and unexpected, should arise, he should never more move on the subject in parliament; and to the necessity of making the motion he had done, he was reduced by the conduct of the noble lord. Had the noble lord answered in the negative, that no inquiries were going on, he should have been content. Had he answered in the affirmative, it would have been proper to have waited for the result of those inquiries. His mysterious and inexorable silence had rendered the proceedings of that night indispensible.

The question being put, the motion was negatived without a division.

HOUSE OF LORDS.

Thursday, March 18.

RENEWAL OF THE EAST INDIA COMPANY'S CHARTER.] Lord Ellenborough presented a Petition, praying that the trade to India might be confined to the port of London, from the ship plumbers, painters, and glaziers employed in and about the port of London. He presented similar petitions from the sail-makers, from the smiths, copper-smiths, and anchor-smiths, from the mast-makers, from the ship-riggers, from the rope-makers, from the mast-makers, from the pressers in, and near the same port; also from the freeholders and others, of the parish of St. Paul, Deptford, and from the freeholders and others, of the parish of St. Nicholas,

Deptford.—The marquis of Douglas presented three Petitions against the East India monopoly: one from the magistrates and town council of the city of Glasgow; another from the merchants, manufacturers, and others, of the same city; and a third from the bailiffs and others, of Port-Glasgow, and Greenock.—These Petitions were severally read, and ordered to lie on the table.

HOUSE OF LORDS.

Friday, March 19.

Claims of the Roman Catholics.] The Earl of *Donoughmore* said, he had some petitions to present from his Majesty's Roman Catholic subjects in Ireland, the objects of which were the same as those to which he had so often endeavoured to call the attention of the House. The petitioners prayed to be relieved from those civil disabilities by which they were still degraded and oppressed; but at the same time, whilst they complained of their disabilities, they expressed the utmost confidence in the wisdom of parliament, and their petitions were drawn up in proper and respectful language. They had attached to them many respectable signatures; they might have been more numerously signed, but it was thought best rather to repress, than to invite signatures, it not being wished that the whole Catholic population of Ireland should tender their signatures to the legislature, but rather that the petitions should be signed by a proportion of different classes, representing the whole body. One of them, however, with 14,000 names, he should have thought very numerously signed, had he not been by far outstripped by one presented on a former day by a noble and learned lord, signed by 60,800 persons. These petitions were so signed as to represent the sentiment of the whole Catholic body, including the Catholic clergy, all of whom had signed, and it was proper he should state that they did not contain one word about any ecclesiastical matter, the prayer of them being confined to a relief from civil disabilities, to which the whole of them solely related. He thought it necessary to state this, in order to guard against any contrary impression unfavourable to the Catholics. That body, he was happy to state, had evinced every disposition to meet the wishes of the legislature by conciliatory conduct, and in consequence of the steps recently taken by the House of Commons, which he hailed as the commencement of what, he trusted, would be an efficient measure in favour of the Catholics, the Catholic Board had, as soon as they learned the determination of the House of Commons, proceeded to pass a Resolution, stating in the most marked terms, their anxious wish to offer every conciliation on their part. His lordship read the Resolution, which was as follows:

Resolved, "That we heartily congratulate our fellow subjects of every religious persuasion in the British empire, on the late glorious and successful struggle of the friends of religious freedom in the British House of Commons, from which we may confidently date the commencement of that harmony which is likely hereafter to subsist among men of all denominations and religions in this country, which must obliterate the remembrance of past injuries, and make Ireland as united as she will be unconquerable, and that confiding in the wisdom and justice of the imperial parliament, that nothing will be required of us inconsistent with the integrity of our religion, no disposition towards conciliation shall be wanting on our part to aid the benevolent views of the legislature."

The noble earl then presented petitions from the general body of the Catholics, the Catholics of the county and city of Cork, counties of Roscommon and Tipperary, and one also from Tipperary, which being signed by the high sheriff in behalf of a county meeting, could only be received as the petition of the sheriff.—Ordered to lie on the table.—His lordship then observed, that he had usually hitherto followed up the presenting of petitions from the Catholics, by giving notice of a day for the discussion of them. Upon the present occasion, in consequence of what had passed in the Commons, he felt that to be unnecessary. He trusted that the opportunity of discussing the subject would be better afforded by the introduction of a Bill from the other House.

Earl *Stanhope* presented a petition from the Catholics of Ballynakill, in the Queen's county, praying to be relieved from disabilities. His lordship took occasion to observe, that a misconception prevailed, in stigmatizing the Catholics as Papists, which they were not, and to contend, that a belief in transubstantiation was no ground for excluding persons from office or from parliament. The noble earl

concluded by moving, that the Petition do *lay* upon the table, not, as was moved by a noble lord the other day, that it do *lie* upon the table.—The Petition was ordered to lay upon the table.

NAVAL ADMINISTRATION.] The Earl of *Darnley* adverted to the circumstance of the capture of another of our frigates by the Americans, and observed, that he could not help thinking parliament had been remiss in not before this instituting an enquiry into the naval administration of the country. Not seeing the noble lord at the head of the Admiralty in his place, he should merely now state, that if no other noble lord better qualified took up the subject, he should certainly bring it forward for the consideration of the House.

LOCAL MILITIA BILL.] The House resolved itself into a committee on the Local Militia Bill.

The Earl of *Darnley* urged, that as the Local Militia was now rendered an effective force for the purposes for which it was wanted, it was unnecessary to keep up a volunteer force, and that a considerable expence might be saved to the country.

Viscount *Sidmouth* stated, that instructions had been sent to the lord lieutenants, stating that the greater part of the volunteers would be no longer wanted, and that therefore no further expence would be incurred on account of those corps, but at the same time expressing, what all their lordships must feel, a high sense of that patriotism and public spirit which had actuated and influenced the volunteers in coming forward, and which had been of inestimable advantage to the country.

The Earl of *Darnley* agreed in the public benefit which had been derived from the patriotism and public spirit displayed by the volunteers, but thought their services (the Local Militia being established) might have been sooner dispensed with, and the expence saved.

Viscount *Sidmouth* stated, that it was not thought advisable to dismiss the volunteers in the period between the expiration of the term of service of the Old Local Militia, and the assembling of the new. With respect to the yeomanry cavalry, it was never intended to dismiss them, nor the volunteers of London and Westminster, where there was no Local Militia.—The Bill passed through the committee.

HOUSE OF LORDS.

Monday, March 22.

PETITION OF THE ROMAN CATHOLICS OF ENGLAND.] Earl *Grey* said he held in his hand a Petition from that most respectable body of men, the Roman Catholics of England, praying to be relieved from the disabilities which still pressed heavily upon them. He had first been entrusted with a similar petition in 1810, and had since that presented petitions to the same effect from the same body, praying not merely to be relieved from those disabilities which pressed upon them in common with his Majesty's Roman Catholic subjects in Ireland, but also from those penalties under which they were peculiarly suffering. Though disappointed on former occasions in obtaining the justice they sought for, they still continued the same patient and loyal individuals, for of no body of men could it be said that they were more loyal or faithful subjects. They had persevered in respectfully calling the attention of the House to their situation, and he rejoiced that he was now enabled to present their petition with a hope that did not before attach to it, arising from the recent proceedings in the House of Commons. He trusted that the measure thus happily commenced would lead to an ultimate satisfactory adjustment of those claims. He was happy to bear testimony to the disposition of the Roman Catholics of England, in common with those of Ireland, to meet the advance made by the legislature in the true spirit of conciliation. From the Resolutions passed by the former at a meeting on Saturday last,*

* The following is a Copy of the said Resolutions:

"Resolved—1st, That this meeting entertains the deepest sense of gratitude towards the honourable the House of Commons, for the decision adopted by that House on the 2nd inst. (that it would resolve into a committee to examine into the laws affecting the Roman Catholics of the united empire), and for the Resolution subsequently adopted in a committee of the whole House on the 9th inst.; and we sincerely congratulate our fellow subjects of every religious persuasion, on the additional strength, that we confidently trust will be added to the empire, from the harmony which is likely to subsist hereafter among men of all denominations and religions in the country.

lord Clifford in the chair, moved by lord Shrewsbury, and seconded by lord Arundel, it would be seen that they expressly desired not to receive any privileges which were not perfectly consistent with the good wishes of their Protestant brethren —the safety of the Protestant succession, and of the established church. The noble earl dwelt upon this with the more pleasure, as, in conjunction with the resolution passed by the Catholic body of Ireland, they put an end to those misrepresentations and misconceptions which had been sent forth respecting the opinions and views of the Catholics. He rejoiced also to observe, that they expressed a desire that all persons of whatever religious persuasion should participate in the advantages conferred in the removal of all disabilities on account of religious opinions; and he trusted that such a measure would accompany, or at least soon follow, the concession of the Catholic claims. The petitioners, whilst they claimed the removal of those general exclusions which equally applied to all his Majesty's Roman Catholic subjects, urged the justice of at least placing them upon an equal footing in point of advantages with their Catholic fellow-subjects in Ireland. He was not disposed to follow up the Petition with any notice of any ulterior proposition, for the same reason as that urged by his noble friend (lord Donoughmore) on a former evening, the subject being now under discussion in the House of Commons. He trusted that the progress of that measure would be marked by a liberal spirit of concession to the Catholics. He thought that if the question had been taken up by government, it would have been more likely to end in a satisfactory adjustment. He still trusted that government would be aware that true policy called upon them to make up their minds upon the subject, and take a decided line of conduct. He was aware of their dissentions upon this point, but surely the crisis required them to act; and if they could not come to any determination, there was but one course left to them as honest men to pursue.

Lord *Boringdon* congratulated their lordships and the country at large on the exemplary temper and moderation with which the subject of the Petition had been treated by the noble earl, as well as by another noble earl who presented a similar Petition last Friday; and as the spirit displayed by the Catholics in Ireland, as well as in England, was such as entitled them to the full extension of legislative beneficence, he anticipated from it the happiest result, not only to the Catholics themselves and every other religious class, but to the whole community and to the empire.

The Petition, which was signed by nearly 11,000 persons, was then read, and is as follows:

To the Right Hon. the Lords Spiritual and Temporal of Great Britain and Ireland, in Parliament assembled.

"We whose names are underwritten, Roman Catholics of England, humbly beg leave to represent to your right honourable House—

"That in the fourth session of the last parliament, the Roman Catholics of England presented a Petition to your right hon. House, stating the principal grievances under which they labour; and humbly praying relief.

"That your lordships' petitioners feel themselves called upon, in justice to their families and themselves, again to solicit your attention to the many penal and disabling laws to which the Roman Catholics of England are subject, for adhering to tenets purely religious; while they can confidently assert, without fear of contradiction from any part of their conduct, that in loyalty and fidelity to their sovereign, in attachment to the constitution, and obedience to the laws of their country, they yield to no class whatever of his Majesty's most loyal subjects.

"That your lordships' petitioners, in thus again approaching your right hon. House, beg leave to repeat, that they are actuated not more by a sense of the hard-

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"2nd, That this meeting, deeply impressed with the sentiments expressed in the first Resolution, will, as far as in them lies, be most anxious to afford every facility to an amicable adjustment of the great and beneficent work thus happily undertaken by parliament: and they declare that the satisfaction they look to in being admitted to the benefits of the constitution will be greatly diminished, if not accompanied by the cordial concurrence of their Protestant fellow subjects, whose good-will they have been anxious to conciliate, and for the attainment of which they are, and ever have been, willing to make every sacrifice that is not inconsistent with their religious principles."

Lord *Grenville.*—My lords, after what has been stated by my noble friends, I feel it utterly impossible to remain silent; but I must fairly confess that it is not without reluctance that I address you; it is not so much in conformity with my own feelings as in deference to the judgment of others, that I have prevailed upon myself, even in the cruel situation in which I am placed, in conjunction with my noble friends, to utter a single word, remotely connected with a subject, which I fervently pray may never become a matter of discussion in this House. If any man can be so base as to harbour a thought to the prejudice of the proceedings of the Commissioners, after what has just been uttered, I am willing to bear my full share of censure. I will not, because I cannot conscientiously, enter into explanations that designing people may be anxious to draw from me. Whatever calumnies may be circulated, however weighty may be the imputations, I will fearlessly do my duty to the country, to the parliament, and to the sovereign, and maintain an eternal silence upon the general topics of this question, firmly convinced that nothing more injurious to the nation could be attempted, than would be effected by lending the countenance and authority of this House to the wicked prevalence of discussions, which can lead only to public confusion and anarchy. Placed in the situation I now hold, I should reject with scorn and indignation any attempt to separate my case from that of my noble friends, and I cannot therefore remain totally silent; but I will endeavour to observe that line so properly kept by my noble colleagues, and though I may make a few remarks upon the conduct of the business, not a word shall escape me upon the business itself.

My lords, I might, I think, not in effectually call your attention to the situation of men, who, thus in fetters, are called upon to plead their cause; your humanity, and your law founded upon that humanity, demands that from the meanest criminal in such a situation his bonds shall be removed. Where, then, is the justice of this proceeding, where the accused are placed at the bar of their country in chains that prevents them from vindicating their conduct and character so unjustly and indecently aspersed? Here, however, my lords I stand, and triumphantly repel the accusation of having falsified sworn testimony; of having fabricated supposititious evidence; and if there be present one individual of manly and honourable feelings, he will acknowledge that the bare circumstance of being placed in the situation I now am is no inconsiderable misfortune. I cannot persuade myself, that if I had left the question on the justice of my country, it would have thought that the unjust and unwarrantable proceedings in another place, unavoidably imposed upon me a task of this humiliating nature: the presumptions must be different, and the proofs must be more decisive, before a man can be fairly called upon to say Not Guilty to the basest and foulest charge that can be thrown on the vilest of mankind.

My lords, it is now nearly seven years since I was entrusted by my sovereign with a commission for the discharge of a most important, awful, and solemn duty: I sought it not, for who could be so frantic as to covet an office so painful and arduous? It was imposed upon me, and with expressions of personal confidence that I trust were forfeited by no part of my conduct in the execution of that commission. Two of my noble friends, the Lord Chancellor and the Secretary for the Home Department, who were joined with me in this undertaking, were chosen by his Majesty only, and the third only was selected by me, and it will be deemed no slight indication of the spirit with which I entered upon this enquiry, when I inform the House, that it was upon my own personal request that the King was graciously pleased, in addition to the two other noble lords, to direct that the assistance of my lord Ellenborough should be afforded. No man will believe that if I had any base purpose to accomplish, if the possibility of such an attempt had shot across my mind, by my own voluntary act I should have chosen the chief justice of England to be a partner in my crime. I can assert, with no less confidence, in contradiction of the calumnies, not merely of to-day, that I was completely ignorant of the subject matter of the enquiry, or, indeed, of any rumour that investigation was intended, until a very short time before the commission was finally laid before his Majesty. So far from there being the slightest foundation for the infamous falsehood industriously circulated, of political stipulations, and personal engagements, and I know not what malignant insinuations and suggestions, the House will see

from this statement, that they were utterly impossible.

My noble friends, as well as myself, were perfectly aware at that time of the difficulties belonging to our arduous and invidious undertaking; nothing but a strong sense of duty could have induced us to comply. We well knew the obloquy and slander to which we should be exposed; to the resentment of power in some quarters, and to the virulence of faction in others. We also knew, that we had no protection or security, but the undeviating rectitude of our conduct, and no light to guide us through the dark and intricate and dangerous path we were to pursue, but a fixed determination to act according to the dictates of conscience. I am not about to enter into a narrative of the manner in which we executed our trust, since it is impossible to do so without a violation of the obvious intention of the oath by which we are bound, and a breach of the duty for the maintenance of which the oath was imposed. I cannot repeat one question or one answer: I dare not allude to one circumstance without swerving from the direct line of rectitude, which as far as these transactions are concerned, I have always with steady eye pursued. If, indeed, any technical objection be urged against the form of the depositions, against the mode of proceeding, or the method in which the report was made to his Majesty, I shall be content to leave it with those who think themselves better lawyers than lord Erskine, lord Ellenborough, and sir Samuel Romilly. Whenever it shall happen that these three great luminaries of the law shall be convinced that they have been mistaken, I shall be perfectly ready to acknowledge that I have participated in their error, but until then I shall be excused if I adhere to my original opinion. The same remark will apply to the objection regarding leading questions? If lord Erskine, lord Ellenborough, and sir Samuel Romilly are ignorant of the rules of evidence; if, after their long experience, they are yet to learn from those who, having learnt nothing, are so anxious to teach, how truth is to be elicited, I will admit that I have participated in their ignorance. If, indeed, any thing has been done contrary to the strictest rules of honour and justice, God forbid, that I should attempt to justify it: the endeavour would be vain; but until other evidence than that which has been adduced against us be disclosed, I shall rest perfectly satisfied with the inward satisfaction of having with fidelity discharged my duty. If the examinations could be produced they would speak for themselves: I allude to the original and authentic records, and not to pocket narratives, fabricated I know not when, and secreted I know not where: concealed in darkness for seven years, and now dragged from their hiding places to blast the characters of those who have received, and deserved, the confidence reposed in them. I refer not to such evidence as malice can, and has, fabricated; and while a spark of justice remains in the breast of an Englishman, by such testimony he will not allow the character of the meanest individual to suffer: not because it is defective in form, but because it is inconsistent with the substantial purposes of justice.

I say then, my lords, that if on the face of the authentic documents attested by the signatures of the witnesses, and of the commissioners, it shall appear that any part of the proceeding was questionable, I demand, before the propriety of the examinations be discussed, that those who are to decide shall be in possession of all the documents upon this subject, and by them I shall be, at all times, willing to be judged —by them let my character, and that of my noble friends, stand or fall. Let not us, however, be parties to a violation of the most sacred confidence that would disgrace the character of the time, and produce irreparable mischief to the empire. Of these points I speak as matters of comparatively little importance, and though I do not conceal that the decision of parliament against us would be painful, it bears no proportion, no possible degree of relation to the scorn, indignation, and contempt with which I treat the accusation, that we participated in the basest and foulest crime that the malice of the bitterest enemy could impute. It is part of the singularity of our situation that it is from rumour only we collect the charge, but whatever may have been the general effect upon the public mind, among my noble friends the accusation is looked upon in the gravest light, an accusation of having fabricated a document to impose upon the public. It is said, that there are two instruments—one that is called the true, original, authentic, and real minute of the examination of a witness, in question and answer, and the other a false, fabricated, garbled and forged sketch of

testimony reported to the King, while the former was concealed. To this charge, after the lapse of seven years, what can we oppose? Our bare solemn declaration of innocence. We make that declaration now, in the face of our country, and we are ready to verify it in the most solemn manner, we say that no forgery or fabrication has been practised by us—that so mean, so vile, so unworthy a trick, never entered our minds; and in proportion to the indignation with which we repel the accusation, would be the caution and hesitation with which we would make it against others. God be thanked, we are not thus destitute! We never can be sufficiently grateful that the evidence of our innocence and integrity still exists; the original minute in the hand-writing of the chief justice of England, as it was reported to the King, yet remains for our complete and perfect vindication. There it is, as it was minuted at the time when the witness gave her testimony, with all its corrections and interlineations made by her desire; and on inspection, no man will say that it is not a genuine and authentic record.

Having stated these circumstances to your lordships, what now remains? There is the evidence, read it, and be convinced, that we are not guilty; I know not how to argue it; there is nothing to oppose, for it seems impossible to urge any thing in derogation of such an instrument. Am I to argue in the first instance, the propriety of trusting sir Samuel Romilly? It is true we received no instructions to employ him, but he rendered the enquiry most material assistance. Was it improper, in his absence, that the Lord Chief Justice of England should take the examinations? Was there any person to whom the duty could be more fitly confided than the chief justice of England, who among his various arduous functions is more than any other individual engaged in taking evidence from the mouth of the witness with almost proverbial accuracy; and as he has told you truly, upon that accuracy depends the liberty, property, and even the life of the subject? Hitherto his conduct has been unimpeached, and your lordships will not readily suppose, that in this instance only in his whole life he was deserted by that consciousness of duty which has hitherto guided him; that he has forfeited that integrity which he has hitherto maintained, that he has prostituted his functions, hitherto held sacred; that he has garbled, for the first time, evidence he was employed to take, and has forced a sense the witness never intended to convey.

Upon the whole result, then, my lords, I have once more to state, that as far as I am concerned in this accusation, I meet it with the most deliberate and decisive contradiction; and as far as my noble friends are impeached, I may venture to assert, that I am equally conscious of their integrity. Indeed it is impossible that the charge should be true, because we meet what we contend to be a malignant forgery, by evidence that cannot be disproved,—by decisive, contradictory, authentic testimony of such a nature that it could not be forged, and which shews that the crime imputed is impossible. More than this, I trust, my lords, I need not say. I confess that I feel humiliated and degraded by being compelled to refute such an infamous charge, and though I feel much for parliamentary order and privilege, and the necessity of maintaining the regulations usually enforced, that freedom of debate may be unimpaired, yet upon this occasion I have ventured, at the hazard of some inconvenience, to break through the ordinary regulations. I assure your lordships, that I have not willingly infringed them, but in what I have uttered, I rather yielded to the opinions of others than abided by my own. At the same time allow me to reprobate the perseverance in a practice, which, if continued, must ultimately overthrow the independence of the two Houses of Parliament, and eventually destroy the balance of the constitution.

Earl *Spencer*.—My lords, after what has been said by my three noble friends, it might perhaps be considered scarcely necessary for me to add any thing to what has been by them so ably and clearly stated; and although I rise most reluctantly upon such a subject, still, considering the charge which has been made against me in common with my three noble friends, I feel that I owe it to myself not to remain silent. I could have wished that such a duty had not devolved upon me, fearing that I may trench upon that line beyond which I am determined not to pass, and within which my noble friends, from being more practised in the habit of public speaking, have more easily kept. I confess also, at the same time, that I feel humiliated at being called upon to answer such a charge, at its being sup-

posed for an instant that I could be guilty of the baseness imputed to me. My noble colleagues and myself are charged with nothing less than a foul conspiracy, of which, if we were guilty, not only we could not appear amongst your lordships, but we should be unworthy to associate with any honourable or respectable man in the country. My lords, under these circumstances I feel myself most reluctantly called upon to say a few words, particularly as in the situation which I held at the period I alluded to, I may be said to be more particularly responsible for the correctness of the documents. My lords, to go over again the points so ably urged by my noble friends, would be an idle and unnecessary waste of your lordships' time, I should only weaken instead of strengthening what they have advanced. I shall, therefore, confine myself to saying a few words upon the point immediately in question, and I do here most solemnly declare, upon the honour of a peer and the faith of a gentleman, that every word of what my noble friends have stated is correctly and exactly true.

The Earl of *Moira* was anxious to take this opportunity of clearing himself from certain charges of a different nature from those which had been made against his noble friends. He had felt the delicacy of the subject, and the strong reasons for avoiding all mention of the subject in parliament: but if he were to remain silent, after the statements of his noble friends, his silence might be construed to proceed from his inability to answer the charges that had been made against him. His noble friends had adverted to the degradation of being even called upon to defend themselves against a charge of fabricating evidence: but how humiliating must it be to him, to be called upon to defend himself against a charge of attempting secretly and covertly to procure evidence against any person whatever? Without making any improper disclosures, or introducing any improper matter, he might be permitted to give an outline of the facts connected with the charge against him, so as to enable their lordships to follow him in the observations he should feel it his duty to make in his defence. First, then, he never was at the place where he was stated to have been, for the dirty purpose of covertly collecting evidence, at any time during the proceedings on this subject. He was neither there, nor in its vicinity, at any time during the period in question. He not only said this, but, on the faith and honour of a gentleman, he had never spontaneously sought for information on the subject; and he introduced this, and desired it might be more particularly attended to, on account of the assertions with which he intended to follow it up—namely, that he not only never spontaneously sought for information on the subject, but that he had never been instigated to do so. But as a counsellor in a certain quarter, he considered himself bound by his oath, to enter into the examination of evidence offered in matters of deep concern to the honour of the individual, and the interests of the public. With regard to the examination of a servant of a certain noble lord, that had not proceeded from any spontaneous motion of his own. The noble lord in question, (lord Eardley,) had solicited an audience, and had communicated most unpleasant and unwelcome information, that the subject was the talk of the whole vicinity, and that a clamour existed in regard to it. He (lord Moira) had, however, suggested, that there might by possibility be some misapprehension in the case, and that it might be proper, before any further proceeding took place, that the servant should be examined before him; and so far was he from attempting to procure evidence by any improper means, that the report which he made was, that it did not appear to him to be necessary to take any further steps, and that it was not proved that the subject was the common talk of the vicinity, or that it had excited any clamour. He had never mentioned this affair to the commissioners who were afterwards appointed; and it had remained unnoticed until it unfortunately came forth in the shape of a slanderous imputation against him, of having resorted to secret and improper practices in the examination of witnesses. It had been stated, also, that he had been guilty of tampering with witnesses, in the instance of two medical men who had been called upon to give evidence. He recollected that an unwilling witness, a certain servant, (Fanny Lloyd) had stated, that one of the medical men in question had made an observation which called for attention. Considering the nature of that observation, the quarter from whence it came, and the unwilling manner in which the communication was made, it would have been singular, indeed, if some inquiry had not taken place in regard to it. If he had erred as to the most proper manner of proceeding in that in-

quiry, he must submit to the consequences; but he had suggested, that the most proper and delicate method would be to send for these persons to meet the magistrate (Mr. Conant) at his house, to have their examinations taken there, rather then send them to Marlborough street to deliver their depositions in the usual manner. Doctor Mills was accordingly sent for, but it was found that he was not the person stated to have made the observation alluded to, and he was dismissed and desired to send his partner. He believed he did make use of some such expressions as those mentioned by that partner; but he could shew by Mr. Conant's testimony, if necessary, as well as by other means, that the expressions in question were not used in such a manner as to evince any wish on his part to procure evidence in favour of a particular side. So far were they from being used in such a way, as to render them liable to be understood in that sense which the person in question was evidently desirous of attaching to them, that they were in reality intended to operate as a severe check upon him, on account of the pert manner in which he gave his evidence. He (lord Moira) then believed, and he still believed, that the man did make use of the observation ascribed to him. He did not mean that this statement of his belief should operate as a charge against the individual who had been the subject of the observation; but it was very possible that this rash and random observation might account for all the strange stories that had been going about with respect to the circumstance to which it referred. It was obvious that it would have been very desirable for the person in question to get rid of the effect of an acknowledgment, that he had made use of such an observation, on account of the essential injury, which, if the fact had been proved upon him, he must in consequence have sustained in his profession. These were the only two points to which he would at present advert, irregularly, perhaps, but he trusted that the observations which he had made would not be without their use; for it was right that the public should have no partial understanding of the statements which had gone abroad. He was glad that he had not been called upon to leave the country, before this opportunity was afforded him of making the statement which he had now given to their lordships. The noble lord said, he wished also to notice, that it had been most falsely insinuated against him in print, that he had been in the habit of sending anonymous paragraphs to an evening paper, for the purpose of calumniating the character of a female of the highest rank. He spurned at the vile imputation, and could solemnly declare, that he never but once in his life sent an anonymous paragraph to a newspaper, and that was on a political subject, at the request of another gentleman. But as to any anonymous paragraph, calculated to hurt the character or the feelings of any individual, he trusted their lordships would do him the justice to believe, that there was no consideration on earth that would induce him to resort to any thing so base and degrading. He well knew, also, how much the bare suspicion of such practices must have injured his character in that quarter where it was supposed he wished by such means to recommend himself.

The House then adjourned.

HOUSE OF COMMONS.

Monday, March 22.

The Princess of Wales.] Mr. *Whitbread* begged, before the House proceeded to the great business of the evening, that he might be permitted to say a few words. He had, during a recent discussion, read to the House a paper which had been given to him in the way he then stated; and he had at that time declared, that if he should find an imposition had been practised upon him (as was suggested by several hon. gentlemen), he would as freely acknowledge it as he had freely communicated the contents of the paper to the House. He certainly did now understand that that paper had been pronounced by very high authority, in the most *dignified* and *temperate* manner, to be a fabrication, containing nothing but falshood, and that by the same authority great weakness and credulity had been attributed to the person who could, for a moment, believe in its authenticity. For his part, he had no other reason for believing in the authenticity of the document in question, than that which he had communicated to the House the other night. But as a disclaimer had that evening been made from a quarter, and in a place to which it would not be regular in him more particularly to allude, he should feel it to be but justice to apprise the witness of the contents of the paper, in order to give that lady the opportunity of adding her disclaimer to that of the lords commissioners. If she should also disclaim it, the

matter would be complete, and it would be only for him, on a future occasion, to acknowledge the error into which he had been betrayed. But until by such reference to the witness he should be convinced that he had been maliciously and wickedly imposed upon, he must beg leave to suspend his recognition of any imposture. The paper itself he had neither bought nor sought. He had not received it from the Princess of Wales, or any one connected with her Royal Highness. He had not received it from any official quarter, from any one connected with office, or from any one in political or public life. But he had received it from such a quarter, that if it should turn out to be an imposition—in which case he repeated that he would most readily acknowledge it to be so—he was certain that the person by whom it was put into his hands had been as much imposed upon as himself. In the meanwhile, however, he must suspend any acknowledgment that it was an imposition. On the day after to-morrow, unless an hon. gentleman (Mr. Cochrane Johnstone) should withdraw his motion, an opportunity would unfortunately be afforded him of stating the result of the reference which he thought it his duty to make. If however the hon. gentleman should withdraw his motion, he would avail himself of some other occasion to deliver his sentiments on the subject.

Lord *Castlereagh* said, that such a paper should not have been brought forward until the hon. member was sure that it was authenticated.

Mr. *Whitbread* said, that when he produced the paper in question, he had no doubt that it was authentic. The noble lord should have considered that there was some difference between a paper being authentic, and being authenticated.

Lord *Castlereagh* said, that when the paper was produced, the hon. gentleman had declared that he believed it to be authentic.

Mr. *Whitbread* said, that he had produced it for the purpose of showing, that if the questions which had been put were added to the deposition, the effect of it would be altered.

Mr. *Tierney* remarked, that in such cases of investigation, it was not the practice to put down the questions. No minutes of questions to Mrs. Lisle, in the course of her evidence, were taken; but her answers were written down, and were then all read over to her: after which she signed the deposition. He was sorry to be obliged to differ from his hon. friend; but he must ask him, what doubt he could have upon his mind on the subject of the fabrication, unless he meant to go the length of supposing that the four lords commissioners had any view of entrapping Mrs. Lisle? After the full assertion of the Commissioners, that the evidence of Mrs. Lisle was taken as correctly, in point of form, as the nature of the proceedings admitted of, he was surprised to find his hon. friend think that there was even a possible accuracy in the paper he had produced the other night. A gentleman, he had said, had given it to him, one on whose honour and veracity he relied: but even that was hardly a sufficient inducement for the strong observations he had made. But, then, there was the strong declaration of the Commissioners! In what a situation must any man be, in such a trust, if liable to such corrections. The honour and character of the Lord High Chancellor, the Lord Chief Justice of the King's Bench, of the Secretary of State, of the First Lord of the Treasury, were all called in question, merely upon the after-recollections of Mrs. Lisle. He believed Mrs. Lisle to be a most respectable woman; he had seen her, and was acquainted with her connections: but nothing should induce him to take the after-recollection of any person against what was sworn to. and signed before a court of justice. All this, on the part of his hon. friend, was nothing more than a mistake. The best of men were liable to be misled. Their judgments might be imposed upon, and he thought his hon. friend might as well give up the matter. He sincerely lamented the course his hon. friend had taken, and was surprised he should postpone for a single day an acknowledgment of the error into which he had been betrayed.

Mr. *Whitbread* was sorry that he had fallen under the censure of his right hon. friend; but the line of conduct which he was pursuing, he had not adopted until after mature consideration, and from it he would not depart. He would send the paper in question to Mrs. Lisle, and obtain her avowal or disavowal of its authenticity. With respect to the usage of stating the questions as well as the answers in examinations, if he had been misled on that subject, he had been misled by the examinations which had taken place in that House during the proceedings on the Tenth Report. The questions asked during these

examinations had been written down, as well as the answers to the witnesses. It did appear to him extraordinary that, during so long a period as that which had elapsed since Wednesday (the day of his motion) no communication had been made to him by any of the noble lords; nor had any thing been said on the subject in another place until that evening. He repeated that, until he had done that which he had just declared it to be his intention to do, he should feel himself to blame in allowing that to be an imposition which had not proved to be so.

Mr. *Bathurst* thought that the hon. gentleman might have known that it never was the custom to take down the questions put to a witness. If, however, there was a departure from the general custom, and if, at Mrs. Lisle's examination, the questions were taken down, the paper which the hon. gentleman had produced must have come either from Mrs. Lisle, or some one of the four Commissioners, for there had not been any other person present. It had not come from any of the four lords; it must, therefore, have come from Mrs. Lisle, if it was authentic. At best, then, it could only have been made out from the recollection of a witness; and it was really most extraordinary that an hon. member should produce a paper, and say that he believed it to be authentic, when the only reason which could induce him to think so, was the supposition that it had been made out from recollection, and the assumption that his friend would not give him a paper that was a forgery.

Mr. *Whitbread* declared, that what had been said by the right hon. gentleman, would not change his intentions. He had purposely abstained from making any communication on the subject to Mrs. Lisle, until the attack with which he had been threatened, in another place, had been made. He was now told that it was a fabrication. For his own part, he did not yet feel himself ready to say this.

East India Company's Affairs.] The order of the day being read, for the House to resolve itself into a committee of the whole House, to consider of the Affairs of the East India Company; it was ordered, on the motion of lord Castlereagh, that the several Petitions which have been presented in this session of parliament, relative to the trade and shipping of the East India Company, and the renewal of their Charter, be referred to the Committee.

The House having accordingly resolved itself into the said Committee,

Lord *Castlereagh* rose and observed, that the Charter of the East India Company being on the eve of expiring, it fell to the lot of parliament, under the direction and recommendation of the crown, to take into consideration the best means by which our extensive territory in India might henceforward be governed. In introducing to the House a subject of such extraordinary magnitude and importance, it was impossible not to be struck with the singularity of the case, that it should devolve on the supreme power in Great Britain, at the present moment, to deliberate on what should be the future system of government, in a country so much exceeding in extent and population, the parent state. He was persuaded that the Committee would feel, that in addition to the political there was a great moral trust reposed in the British legislature on this occasion, and that it was incumbent on them to weigh well measures in which the interest and happiness of so large a portion of the human race were involved. It was an unexampled feature in the history of governments, that the prosperity and happiness of a number of human beings, three-fold that of the inhabitants of this country, should be confided to the wisdom of the legislature.

He had no difficulty in stating for himself, and for those with whom he had the honour to act, that if they could persuade themselves that the arrangements which it was their intention to propose, would shake the existing system in India, they would hesitate before they suggested any thing which might change a system which had unquestionably answered all the great purposes of government to a degree rarely to be found in any human institution, and more especially in one of no very remote antiquity. But he begged leave to say that his proposition would not only abstain from touching the principle of that system, but would render it more applicable to the circumstances of the times. It was a proposition that he was persuaded would conduce to the prosperity, not only of India and the empire, but to no branch of the general interest more than to that of the East India Company themselves in their commercial capacity. His Majesty's ministers had not been blind to the excellence of the institutions of the East India Company, institutions which they were most anxious should not be dissolved.

The Company had raised up an empire unexampled in the world, and the government of that empire had been administered on principles eminently conducive to the happiness of the numerous individuals living under it. It was a government founded on theory so wise, and brought to such practical perfection, that he did not believe the history of the world could exhibit its equal. It was a singular fact in the constitutional policy of India, that in the administration over fifty millions of persons, the number of civil servants employed by the Company did not exceed 1,000 individuals. Few European countries ever experienced so mild a government, or one more advantageous to the inhabitants. As far as he had an opportunity of judging, he declared, that no public body whatever possessed servants of greater ability and higher character than the East India Company. It was almost impossible to point out a country in which an equitable system of government had been so long and so undeviatingly maintained, and in which so few acts of flagrant public delinquency had occurred. It did certainly happen, that from the liberality of their allowances, from the class of individuals out of which they were chosen, and from the wholesome discipline which they received in their official duties, that few governments could exhibit so many examples of efficient public servants abroad as the East India Company: and he should do injustice both to the individuals concerned, and to his own feelings, if he did not allow that the same remark was applicable to their servants at home. While his official duties more intimately connected him with India affairs, he had enjoyed frequent opportunities of judging of the habits of business, not only of the heads of departments, but of those by whom the Company were served in all their domestic branches; and his full conviction, founded on experience, was, that nobody could be better served, no affairs could be more ably and more efficiently managed than the affairs of the East India House.

This was his sincere feeling on the general subject; and he trusted, therefore, that it would not be thought probable that he would embrace any proposition calculated to subvert a system which, although it might be subject to the imperfection of all human plans, had happily tended to accomplish the great objects of its institution. If government, however, feeling the necessity of some alteration in this system, correspondent to the necessities of the times, had proposed that alteration during the existence of the charter, for such advice they would have been responsible, and it would have been incumbent on them to make out a strong case. But now ministers found themselves, at the expiration of the charter, free to judge what would be most advantageous for the Company, for the public at large, and for so large a portion of the human race, as that comprehended under the British government in India. They might judge erroneously: but this he would assure the Committee, that he required only to be convinced of that error to change his opinions and intentions on the subject. The question had not been taken up hastily: it had been maturely considered: and the conviction of his mind, and of the minds of his colleagues, was, that what they meant to propose to parliament was the most safe and expedient course which the legislature could pursue. But if it should appear that they were in the wrong —if greater lights should break in upon them—he was persuaded that every one of those with whom he had the honour to act, would be perfectly ready with himself to take another view of the whole transaction, and to adopt any other set of measures which might be proved to be more consonant to the real interest of all parties.

In looking at this great question, his Majesty's ministers had naturally to consider, whether the existing system of government of India should be allowed to continue precisely in its present state—whether an entire change should be effected in it—or, lastly, whether some middle course could not be adopted, satisfactory and advantageous to all parties? With respect to the first proposition, he had the strongest impression on his mind, that with reference to the interests of the empire at large, to the peculiar interests of India, and to the commercial interests of the East India Company themselves, the present system in all its parts could not be safely persevered in by the legislature. Charged as the East India Company were with such mighty interests, he was sure the Committee would feel that the terms of the renewal of their charter ought not to come too frequently under the consideration of parliament. No arrangement therefore should be made for a period less than 20 years. He could see no reason,

however, why the legislature should for such a period tie up the commerce of the country from half the habitable globe, placing that half under the administration of the Company alone, and leaving it open to no other description of persons in the empire except foreigners of every description. This was a proposition so untenable that he was persuaded no adequate case would be made out in support of it.

The question must also be determined with a view not to the existing state of the Indian commerce, but to the state in which it might be before the subject could again come under the consideration of parliament. He was not prepared to deny that in the event of opening the trade much evil might not immediately arise. He certainly should look with apprehensions to the consequences of the first burst of commercial enterprise. But it was not on such apprehensions that parliament ought to legislate. It was in commerce as in war. As in the latter those who were foremost in the contest frequently laid down their lives for the good of their comrades, so in the former those who engaged in original commercial speculations, if they injured themselves, opened channels for other more prudent and more successful traders. If parliament ought to withhold their assent to any commercial measure lest rash speculators should suffer, scarcely any commercial regulation could be proposed, to which that assent should be given. Even under the existing system, hostile as it was to the private trade, it had rapidly increased. During the last 19 years the private trade had amounted to a third of the whole trade to India—the private trade being 33 millions, and the trade of the Company somewhat more than 100 millions. It was obvious on every commercial principle that the private commerce carried on in ships, the property of a different and conflicting interest must be subject to much inconvenience and unnecessary charge. He begged to be understood as considering the commercial sphere as too extended for the limited powers of a chartered company, as beyond their strength, and productive of much injury to the Company itself, and to the country at large, and as it was possible to give increased vigour and extension to that system, it became the duty of parliament not to consign the private trade to the controul of the shipping system of the Company.

Passing by, however, that part of the question, he would endeavour to apply himself to the developement of that view of it which was taken by his Majesty's ministers, without entering into those details, which there would be many future opportunities of discussing. While he stated the Resolutions on which it was proposed to legislate with respect to this great question, he felt persuaded that the Company ought not, with a view to their real interests, to desire a continuance of the present system; for while they received their exclusive privileges as a boon, it was also to be recollected that there was a trust included in it, in the discharge of which, they were bound to watch over the national interests, and to administer their own affairs with a reference to those general objects which were confided to them. He was prepared to contend that the Company had taken a burden on their shoulders beyond their power to administer, with justice to their own interests and to the public, and that the evil arising from a want of capital, compelled them to withdraw themselves from those separate branches of commerce which it would be most beneficial to them to exercise, and to engage in other transactions under distinct circumstances of loss to the Company. To apply simply to the private trade as an illustration of what he had asserted, it had been carried on at a great loss to the Company, he believed to the amount of a million and a half, simply by providing tonnage at a great loss, which the individuals for whom this loss was incurred considered as very injurious to them, in consequence of the restrictions under which they enjoyed the advantage. For the merchants were obliged to give notice months before, they were obliged to go out of their way, and to wait the pleasure of government as to the periods of sailing, and on the whole, it was perfectly easy to understand, that the present system was highly injurious to them, as well as extremely erroneous to the directors.

But it was not in the private trade only that the Company felt the injurious consequences of the present system; for while they laboured to maintain on a liberal and extended principle all the interests committed to their charge, they did so at a great inconvenience to themselves and to the commercial interests of the Company; for they had to keep up the investments on an extended scale,

and in consequence of the insufficiency of the capital stock, they were driven to the monied market of India, where loans could not be had at an interest less than ten per cent. They were also prevented from pushing their commerce with the empire of China, to which he was persuaded they might have access with more facility, and to a more extensive degree than any other powers. He was satisfied that at the period they were now entering upon, the field was too large for the exertion of the Company (great as their exertions had unquestionably been), and that they were unable to charge themselves with the commercial concerns of so vast an empire. Upon these grounds it appeared, therefore, highly expedient that the national capital of the country should be let in to the relief of the Company, acting on the principle of the regulations which took place in 1793, or the improved system which was adopted in 1802.

The other extreme alternative which was looked to, was one which he certainly should not be disposed to cherish until all other arrangements appeared impracticable; for he could not think that, after sifting the subject to the bottom, any individual interests could be so bound up in the perseverance in the present system, as to prevent a cheerful and cordial acquiescence in such measures as should appear best adapted to promote the general good. If he could persuade himself that the interests of the Company and the country were incompatible, he felt that, in that case, it would be more manly and fair in his Majesty's government to state that to be the result of their deliberate judgment, which he had no hesitation in saying that nothing could justify, unless it appeared that the Company were disposed to abdicate the government of India, if the public seemed disinclined to such concessions as they might think right.

He knew that it had been stated, that there existed a constitutional bar to any other system than the present; and he was perfectly prepared to admit that the patronage of a great empire should not be transferred without the most ample guards. It would be such an evil as the public interest should not be exposed to without the most grave necessity, but if, unfortunately, the moment should arrive when it became unavoidable to transfer the patronage, he should meet the necessity on the admitted ground, that in any arrangement which might take place, government should be divested of the patronage. He hoped, however, that he might not be considered in any quarter as holding out a menace, or speaking insincerely when he said, that great as the difficulties were upon this point—grave as the necessity ought to be which would authorise such a change, yet he felt satisfied that if the legislature found that they could not work out their purpose, except through that course, it would appear on a nearer approach to the subject, that the difficulty had been greatly over-estimated.

Having stated the two extremes of the question, he next proceeded to observe, that there was no plan which might not be liable to some objections, but when the subject was thoroughly sifted, it seemed impossible to maintain that the transactions of the Company should remain on the basis hitherto subsisting without an enlarged modification. The course would be to open his Resolutions as he went along, and in doing so, to advert to the leading objections which had been made by the opponents of a change in the present system. He was perfectly aware, at the same time, that there was a question in the back ground between his Majesty's government and those who were advocates for a more extended trade than it was proposed to allow, but this he should not now advert to. His first Resolution was a general one, and it stated, that the whole system of Indian government should be continued in its full force, with the exception of such modifications as would be brought forward in the subsequent Resolutions, and the House would perceive that the course of legislation which it was proposed to adopt, was to give a continuance of the charter, under a new arrangement, for the term of 20 years, subject to such regulations as might hereafter be adopted, without particularising any of them; for he hoped the Committee would be of opinion, that it was better, in this stage, to state general principles, than to enter into minute regulations, which would be the subject of future discussion.

The next Resolution applied itself to the question of trade, and upon this branch of the subject there were two large classes of opinion. Those who thought the trade of China should be opened, as well as that to India, would contend that there was an objection to the Resolution on each ground. The second branch of this Resolution would go to declare, that the restraint on

the intercourse with China should continue to exist, and that the Company alone should have the privilege of importing teas; thus giving them a monopoly of the commercial intercourse with China, as well as that of the tea trade. On these points he would not argue at present, as they would be discussed at length hereafter; but he was prepared to contend, that the existing system of intercourse with China had answered so well, that, without the existence of a strong necessity, no other should be substituted, for, besides the advantages fairly derivable to the Company, from this source of commerce, in increasing the dividend, it might also be applicable as a joint fund to the reduction of the Company's debt, which must otherwise devolve on the public in some shape, and there was no form in which they might be so advantageously relieved. Upon these grounds he was prepared to contend, that this branch of commerce, as a measure of political prudence, and with reference to their own interest, was bound up with the public advantage, by continuing in its present channel.

This brought him to the consideration of the grounds of intercourse, and he should observe upon that, that it had not occurred to his Majesty's ministers, to except any part of the east but China, from the private traders, nor any importable article but tea—that was, that all other articles which were at present imported should be liable to importation. This commerce was proposed to be carried on in ships of a given size—to be confined to British ships, whose registered tonnage was not less than 350 tons—that was, generally speaking, to ships of 400 tons burthen. The next point was, that this external commerce was to be open to all the ports of the empire generally, but that instead of the homeward bound commerce being confined to the port of London, it should be opened to such ports as should give the greatest facility to the securing of the revenue, and which would be provided with warehouses and docks. He was not prepared in the first instance to name the ports to which the import trade should be extended, but he was of opinion that a survey should be instituted, and a decision formed upon it. The proceeding should be made with as much deliberation and responsibility as possible, and afterwards be made the subject of an order in council, which should be laid before parliament in the ensuing session. The next arrangement, and the only exception to the general principle of allowing all access to the outports, was piece goods, which should be still confined to the port of London, because he was sure there was no species of goods on which it was so difficult to set a value without some sort of auction, besides they were a conflicting article with the home manufacturers of the British empire; for if they should come illicitly into the market, and be sold at cheap prices, they might excite a competition dangerous to the goods of domestic manufacture. Those piece-goods, however, would be allowed to be sent to the out-ports for the purpose of re-exportation, which was in compliance with a revenue regulation already existing.

The noble lord next adverted to the consideration of smuggling and the revenue, and argued against the apprehensions entertained upon this subject—observing, at the same time, that it was a source of peculiar satisfaction that the interests of the Company could not suffer in this respect without awakening the fears of government, and deterring them from encountering any risk. On the question of revenue, he wished to state, that the whole amount was about 4,400,000*l.*; of which sum 4,000,000*l.* was leviable on the article of tea alone, leaving no more than 3 or 400,000*l.* on all other articles imported from Indian and China. He was ready to admit that tea was an article liable to be smuggled, both on account of its small bulk and the high duty levied upon it. The reason of the high duty, however, he conceived to be, because it was an article that appeared capable of bearing the duty; but if the moment should arrive when smuggling would derive a facility from that circumstance, it might be expected that the duty would vary. It was argued that a great facility would exist of getting tea among the Indian islands; but though that fact was admitted, it was to be recollected that the regions of the Pacific Ocean were not the only places where that article might be procured; for that, before the war, it was procured in America, and had frequently been imported from Ostend, from France, from Sweden, and other parts of the continent, by those who were disposed to encounter the risk: so that it did not appear, on the whole, that any additional risk would be incurred; while, at the same time, such regulations would be adopted as appeared to offer the greatest security against the apprehended evil.

The next question was the mode of taking the duties. This was at first thought to be a serious difficulty, affecting the revenue of the country, if the goods were not brought to the East India Company's sales, and the duties taken upon them in that manner. But, upon examining the book of rates, it was found that of the unrated articles a considerable number might be transferred to the rated duties. It appeared, also, that almost all the articles which were charged with *ad valorem* duties, were small in number, and small in value, and that the whole amount of duties levied upon *ad valorem* articles did not exceed 40,000*l.* a year; so that in changing that to a duty upon the declared value by the importer, it was thought both by the Board of Excise, and Board of Customs, the country would not be exposed to a loss of more than five per cent. which upon 40,000*l.* a year was no great loss to the revenue. The other branch, and the most important one, was the rated duties, but almost all the great and bulky articles, such as cottons, sugars, and he believed indigo, were imported upon rated duties.

The next topic which he should advert to, not argue, was the objection that the opening of the trade would lead to an indiscriminate intercourse with the natives, which might in the end endanger the whole system, and the whole of our power in India. But in this apprehension he thought the India Company themselves could not be very much in earnest, as they had admitted of that middle course, which allowed the carrying out manufactures to India indiscriminately from the out-ports, only contending that the exports from India should be brought to the port of London. As to the idea of colonization there, it seemed quite chimerical, as the price of labour was so low as to leave no inducement to the hard-working classes of the community to go out there; and with respect to the higher classes, who had objects of preferment and power in view, it was well known that no person could acquire any property in the country, that was not perfectly distinct from the soil, and independent of it. At the same time, that he thus argued on general principles, he did not mean to place an implicit reliance on them, unbacked by the authority of an efficient and vigilant government. Now, it was his intention to leave the India Company in full possession of all their authority to expel every individual whose conduct or intentions they might find or suspect to be dangerous. With this restriction and controul he felt no apprehension on the subject of colonization; nor did he think the character of the people of this country so obnoxious, that they alone should be rigidly excluded from our empire in India, while not only the Americans but numberless Europeans and Asiatics were allowed free and unrestrained access to that country, and while it was found that this intercourse was productive of no ill effects. Besides, the intercourse with India was at this moment as open as it was ever likely to be. In reality, any adventurer who was so disposed might go to India, by first going to the ports of the continent. The difficulty was not for any one to get to India, but the question which every rational man asked himself, before he set out, was, what would be his lot when he got there? It was this consideration, and this alone, which kept our intercourse with India within due bounds; and though this intercourse would no doubt be extended with the extent of our commerce, yet he did not believe it would ever be carried to a dangerous excess. For his own part he was convinced that it would be for the advantages of the moral habits of our countrymen, that our communication with the natives of India should be as much narrowed as possible.

It was said that it was a considerable advantage to the East India Company to have their remittances in their own hands, and that any other mode of transacting this part of their financial concerns would be unsatisfactory, and liable to various objections. Yet he could not conceive that the nature of the Company's government was so different from all others, that they could not transact their remittances by any hands but their own. If the government of this country, for instance, had a subsidy to make to any of our allies, it was not surely necessary that they should turn merchants in order to effect it. In whatever hands the commerce was placed, through whatever channels it flowed, the remittances might always be made through the commerce.

In viewing the subject in another light, as a question of profit, he did not think that the Company were commercially interested in retaining the exclusive possession of the India trade. If this part of the trade had been entirely in other hands for the last 20 years, without injuring their general and political prosperity, their af-

fairs, as a trading Company, would have been in a much better state than they were at present. In the reports given in by the court of directors themselves, it appeared, that the excess of their profits on the whole of their trade above their expences, was six millions, within the period above-mentioned. Their profits on the India trade were two millions one hundred thousand pounds; while those on the China trade were 18 millions five hundred thousand pounds. So that the advantage on the side of the China trade was in the proportion of 18 to 2, or 9 to 1. But we were also to consider what were the capitals employed in these different trades. Now though the India trade was so infinitely less profitable than the other, there was more capital embarked in it. If, then, you charge the dividends and the interest of bonds equally on each, there will be the half of about 15 millions to be set against the profits of the India trade; that is, 7 millions and a half against little more than 2 millions, leaving a balance of nearly 4 millions and a half against the India trade. Such was the sacrifice of the commercial interests of the Company necessary to the carrying on of this trade. On the whole, and managed as it was by the Company, it had clearly been a losing concern, and to it had been sacrificed a great part of the advantages which were derived from the China trade. Such was the account of this trade for the last twenty years; and the inference to be drawn from it would surely apply much more strongly to the next twenty years, unless it was maintained that the trade itself could make no farther advances. If it were not in its own nature stationary, a period must necessarily arise in its progress, in which the Company's government would want capital, would want means and authority to carry it on. Fortunate as the establishment of the Company in its present form had been, prosperous as it had been in its growth and enlargement, yet there was a limit which it could not be allowed to exceed, without becoming unwieldy and unmanageable, subversive of itself, and detrimental to the country. If suffered to go on, it would grow up to a height in which the magnitude and complexity of interests contained in it could no longer be controuled by the court of directors, able and upright as they were; it would resemble a body without a head. The interest of the various proprietors and private tradesmen in this great city overawed and controuled the directors; they could not discharge their duty to themselves or to the country. It was, indeed, from the conflict and strength of men's personal interests that the harmony and good order of the whole resulted, but it was also necessary that these interests should be under the controul and guidance of some higher authority, of more enlarged and general principles of action. The noble lord then said that into whatever hands the conduct of the Company's affairs should fall, no good could be done without an efficient principle of economy and retrenchment of expence. On this head it was satisfactory to him to be able to state, that since the date of the papers which were laid on their table, the results of farther investigations into the Company's affairs were highly favourable. For the year 1811-12, the surplus profits had been originally stated at only 300,000*l.* It now appeared that there was in fact a surplus of 1,500,000*l.* And though the surplus for 1812-13, had only been positively stated at 5 or 600,000*l.* it was expected to exceed a million. He would only offer one word of advice on the subject of the Company's mode of keeping their accounts. He thought it extremely desireable, that in future, the territorial and commercial accounts should be kept more distinct, so that it might be possible with a single glance of the eye to ascertain their relative amount.

With regard to the question, on what footing ships built in India should be considered, he wished them to be placed on the same footing as all other vessels, namely, that they should be manned according to the Navigation Act, with two-thirds British sailors, but with the provision that this should extend only to times of peace. The Indian vessels would thus afford a nursery for British seamen, who might be immediately transferred to the more effectual service of their country in time of war, by then allowing a greater proportion of Lascars to navigate our vessels. He should also wish some provision to be made by which all persons bringing the natives of India from their own country should be bound to take proper care of them, and carry them safely back. Another regulation which he should propose as to the application of the funds of the Company, was, to enable them to grant pensions to their civil and military servants, which they were not at present authorised to do, except to a small amount. By a singular incongruity in the statutory

enactments which regulated the proceedings of this great body, while they were enabled to grant sums of money to any amount, they were not allowed to grant a pension of 300*l*. per annum. This, therefore, would form the subject of another resolution.

The more he looked at this question, as to its general effects, and its particular details, the more he was persuaded that while the government of the continent of India remained in the hands of the Company, far from weakening those hands, it was, if that could by any means be effected, desirable to strengthen them. This led him to the consideration of an important part of the question—the command of the native army of India. Formerly the leaning of his opinion was, that it would be expedient to separate the command of this army from the Company, and to give it to the crown. This opinion arose probably from the weight which the sentiments of an illustrious connection of his, (marquis Cornwallis) had with him. That noble marquis had afterwards, however, been satisfied with some arrangement on the subject, without so great an alteration. There were high authorities on both sides of the question, and it seemed at first sight, an objection to the present state of this species of force, that so large a military body should be in other hands than those of the sovereign. But, after a mature consideration of the question, his colleagues and himself were of opinion that to separate the command of the army from the civil administration of India would be to sap the authority of that government. The army, if transferred to the crown, must remain in the condition of a local force, formed on no other principle than that of seniority, without reference to the rest of the military force of the empire. As, therefore, no material alteration could be made in this body if transferred to the crown, it would be a gratuitous sacrifice of the interests of the Company to take this force out of the controul of the local sovereign, and so long as the Company retained the government of India, it would be an anomaly to take from them the power of the sword, while they were permitted to hold the power of the law. There was another branch of the subject nearly connected with this, and which would form the subject of a Resolution, on which he apprehended no difference of opinion. King's troops were sent to India, but in very uncertain numbers; and it must be obvious, that inconvenience must arise from this uncertainty, particularly as to the finances of the Company. There were times at which it had been advisable that there should be a force in India sufficient to meet the attacks of France when that power was making rapid strides towards universal sovereignty. But whenever the defence of India became necessary for the interests of the whole empire, it was unjust that the Company alone should defray the whole expence of it. What he should propose on this subject therefore was, that there should be a stated number of troops to form, as it were, the garrison of India, and that any additional troops which it might at any time be necessary to send there, should be paid by this country.

It was his wish that the Company should be upheld in India, and that all the acts of government should bear their name; but there were cases of great importance to this country, in which it was desirable that the Company should receive, and in which they were willing to receive, the advice of government. The other regulation which in his Resolutions he should have to propose, in addition to the existing ones, was, as to the different appointments to the presidencies. The crown has at present the virtual power of appointment, by the power of recal.—Whether or no, this power was originally designed to apply to cases of misbehaviour only, it was now applied to the extent which he had stated, and was a most invidious way of exercising the power of disapproval of appointments. The Resolution which he should propose on this subject, would leave the appointment of the members of the presidencies in the hands of the directors, but would render necessary the approbation of the crown under his Majesty's sign-manual.

Another Resolution which he should propose would be on the subject of religion. He was aware, that it was unwise to encroach on the subject of religion generally, and that this, under the circumstances of our government in India, was a most delicate question. But there was one regulation on the subject, necessary even for the sake of decency. The Company, entrusted with the supreme government in this as in other matters, had permitted the free exercise of religion at their settlements, but there was no sort of religious controul, and the members of the church of England could not receive the benefits of those parts of their religion to which the episcopalian functions were necessary;

for example, the ceremony of confirmation. He hoped the House did not suppose that he was coming out with a great ecclesiastical establishment, for it could only amount to one bishop and three archdeacons, to superintend the chaplains of the different settlements. The Company, he hoped, would not think it an encroachment on their rights, that while British subjects were governed in India by British law, they should be permitted to exercise their national religion. There were two considerations of importance, one of a general, the other of a commercial nature, on which it might not, however, be necessary to propose any Resolutions. It was desirable, whatever the Resolutions of parliament at this time might be, to take care that no impediment should hinder the judgment of parliament from adopting in future such regulations as it might from time to time think expedient. The principle on which the trade with India was at present regulated, was that it should be carried on between that country and this; and it was a wise policy to endeavour to procure to this country the intermediate profits which resulted from the carrying trade between our eastern possessions and foreign nations. But a time might arrive, when the foreign traders, who would trade directly between the east and foreign nations, might only be to be met by British merchants, by a similar direct commerce, such as was permitted by the Act of Navigation in other branches of trade. At this time, when America and the other nations, which engaged formerly in the carrying trade, were crippled or unable from peculiar circumstances to embark in it, it was not wise to alter our present system of policy; but when the stream turned another way, and it was only by conforming ourselves to a direct trade with foreign states, that we could compete with foreigners, it would be advisable to conform to it, and this not for the purpose of getting all the trade of the world into our own hands—(hear!) for he was one of those who thought that there was commerce enough for all nations of the earth, if they could engage in it in amity, but because he was unwilling to travel in a course so opposite to the natural course of things as to force British capital out of a line of commerce so peculiarly British.

Having gone through all the heads of the measures he had to propose, with as much rapidity as possible, he was sensible that he had left much unsaid, but he hoped that the Committee would not receive any of his propositions the more unfavourably on account of the incompleteness of the statements with which they had been ushered in. He hoped the Committee would suffer the Resolutions to be read *pro forma*, and to be printed, and the consideration fixed for a day as near the present as was consistent with the magnitude of the question, and of the greatest importance it certainly was, whether the magnitude of the commerce, or the numbers of the population affected were considered. As his Majesty's ministers had not volunteered to bring this subject forward, but had been bound in duty to propound these arrangements, he hoped the House would receive their propositions with the greater indulgence. Though there were conflicting interests in the country, yet these interests had so many points of union, and so few of difference, he hoped that by some sacrifices of interest, and what were still greater sacrifices, by those of feeling, he hoped the British parliament, which had raised the empire to its present pitch of prosperity, would not be found insufficient to surmount this difficulty, in the overcoming of which the prosperity of the British empire in so high a degree depended. The noble lord then handed the following Resolutions to the chairman of the Committee, by whom they were read:

1. "That it is expedient that all the privileges, authorities, and immunities, granted to the United Company of Merchants trading to the East Indies, by virtue of any Act or Acts of Parliament now in force, and all rules, regulations, and clauses affecting the same, shall continue and be in force for the farther term of 20 years, except as far as the same may hereinafter be modified and repealed.

2. "That the existing restraints respecting the commercial intercourse with China, shall be continued, and that the exclusive trade in tea shall be preserved to the said Company during the period aforesaid.

3. "That subject to the provisions contained in the preceding Resolution, it shall be lawful for any of his Majesty's subjects to export any goods, wares, or merchandize, which can now or may hereafter be legally exported from any port in the United Kingdom to any port within the limits of the charter of the said Company; and that all ships navigated according to law, proceeding from any port within the limits of the Company's

charter, and being provided with regular manifests from the last port of clearance, shall respectively be permitted to import any goods, wares, and merchandize, the product and manufacture of any countries within the said limits, into any ports in the United Kingdom which may be provided with warehouses, together with wet docks or basins, or such other securities as shall, in the judgment of the Commissioners of the Treasury in Great Britain and Ireland respectively, be fit and proper for the deposit and safe custody of all such goods, wares, and merchandize, as well as for the collection of all duties payable thereon, and shall have been so declared by the orders of his Majesty in council in Great Britain, or by the order of the lord lieutenant in council in Ireland, provided always that copies of all such orders in council shall be laid before both Houses of Parliament in the session next ensuing.

"Provided also, that no ship or vessel of less than 350 tons registered measurement, shall be permitted to clear out from any port in the United Kingdom, for any port or place within the limits aforesaid, or be admitted to entry in any port of the United Kingdom from any place within those limits.

"Provided also, that no such ship which shall have so navigated, shall be admitted to entry in any port of the United Kingdom, without a regular manifest, duly certified, according to such regulations as may hereafter be enacted.

"Provided also, that no article manufactured of silk, hair, or wool, or any mixture thereof, shall be entered or taken out of any warehouses except for exportation, unless the same shall have been brought into the port of London, and deposited in the warehouses of the said United Company; and such articles shall by them be exposed to public sale by auction, in order to ascertain the duties payable thereon; and in all other parts, as well as the port of London, such articles, when entered, and taken out for exportation, shall be charged according to their value, under regulations legally applicable in other cases to duties payable ad valorem.

4. "That as long as the government of India shall be administered under the authority of the said Company according to the provisions, limitations, and regulations hereafter to be enacted, the rents, revenues, and profits arising from the territorial acquisitions in India, shall, after defraying the expences of collecting the same, with the several charges and stipulated payments to which the revenues are subject, be supplied, and disposed of according to the following order of preference:—in the first place, in defraying all the charges and expences of raising and maintaining the forces, as well European as Native artillery and marines on the establishment in India, and of maintaining the forts and garrisons there, and providing warlike and naval stores.—2dly, In the payment of the interest accruing on the debts, owing, or which may hereafter be incurred by the said Company in India.—3dly, In defraying the civil and commercial establishments at the several settlements there.—4thly, That the whole or any part of the surplus that may remain of the above described rents, revenues, and profits, after providing for the several appropriations, and defraying the several charges before mentioned, shall be applied to the provision of the Company's investments in India, in remittances to China for the provision of investments there, or towards the liquidation of debts in India, or some such other purposes as the Court of Directors, with the approbation of the Board of Commissioners, shall from time to time direct.

5. "That the receipts into the Company's treasury in England, from the proceeds of the sales of their goods, and from the profits arising from private and privileged trade, or in any other manner, shall be applied and disposed of, as follows: First, in payment of bills of exchange already accepted by the Company, as the same shall become due. Secondly, for the current payment of debts, (the principal of the bond debt in England always excepted) as well as interest, and the commercial charges and expenses of the said Company.—Thirdly, in payment of a dividend of ten pounds per cent. on the present, or any future amount of the capital stock of the said Company: also, in the payment of a further dividend of ten shillings per cent. upon such capital stock, after the separate fund upon which the same was originally charged by the 124th clause of the 33d, cap. 52, shall have been exhausted, the said payments respectively to be made half-yearly. Fourthly, in the reduction of the principal of the debt in India, or of the bond debt at home, as the Court of Directors, with the approbation of the Board of Commissioners, shall from time to time direct.

6. "That when the principal of the

debt bearing interest in India, shall have been reduced to the sum of ten millions of pounds sterling, calculated at the exchange of 2*s.* the Bengal current rupee; 8*s.* the Madras pagoda; and 2*s.* 3*d.* the Bombay rupee, and the bonded debt in England shall have been reduced to the sum of three millions of pounds sterling; then and thereafter, the surplus proceeds which shall be found to arise from the revenues of India, and the profits upon the trade, after providing for the payments aforesaid, shall be applied to the more speedy repayment of the capital of any public funds or securities which have been or may be created for the use of the said Company, the charges of which have been, or may be, directed to be borne by the said Company, in virtue of any act or acts of parliament; and that any farther surplus that may arise shall be set apart, and from time to time paid into the receipt of his Majesty's exchequer, to be applied as parliament shall direct, without any interest, to be paid to the Company, in respect or for the use thereof, but nevertheless to be considered and declared as an effectual security to the said Company, for the capital stock of the said Company, and for the dividend of 10½ per cent. per annum, in respect thereof, not exceeding the sum of twelve millions of pounds sterling, and that the excess of such payments, if any, beyond the said amount of twelve millions, one sixth part shall, from time to time, be reserved and retained by the said Company for their own use and benefit, and the remaining five-sixths shall be deemed and declared the property of the public, and at the disposal of parliament.

"Provided also, that if the Company's debts in India, after the same shall have been reduced to 10,000,000*l.* sterling, shall be again increased beyond that amount, or if their bond debt in England, after the same shall have been reduced to 3,000,000*l.* shall be again increased beyond that sum, then and so often as either of these cases shall happen, the surplus proceeds shall be appropriated to the reduction of such new debts respectively, until the debts of India shall be again reduced to 10,000,000*l.* sterling, and the bond debt in England to 3,000,000*l.* sterling.

7. "That it is expedient, that ships built within the British territories in the East Indies, and employed in the commerce between India and the United Kingdom, should, during the present war, and for 18 months after the conclusion thereof, be permitted to import any goods, wares, or merchandize, the produce or manufacture of any countries, within the limits of the East India Company's charter, except as aforesaid, or to export any goods, wares, or merchandize from this kingdom to the British settlements in the East Indies, or to any of the places within the said limits in the same manner as ships, British built, and duly registered as such, and that after the expiration of the period above-mentioned, the said India-built ships should be liable to such other provisions as parliament may from time to time enact, for the further increase and encouragement of shipping and navigation; and that effectual provision should be made, at the charge of the owners and commanders of such ships, for the maintenance, while in the United Kingdom, of the Asiatic sailors employed in the navigation thereof, and for the return of such sailors to their native country.

8. "That it is expedient to make provision for further limiting the granting of gratuities and pensions to officers, civil and military, or increasing the same, or treating any new establishments at home, in such manner as may effectually protect the funds of the said Company.

9. "That all vacancies happening in the office of governor general of Fort William, in Bengal, or of governor of either of the Company's presidencies or settlements of Fort St. George or Bombay, or of governor of the forts and garrisons of Fort William, Fort St. George or Bombay, or of commander in chief of the forces in India, shall continue to be filled up and supplied by the court of directors of the said united Company, subject, nevertheless, to the approbation of his Majesty, to be signified in writing under his royal sign manual, countersigned by the President of the Board of Commissioners for the affairs of India.

10. "That the number of his Majesty's troops in India to be in future maintained by the said Company, be limited, and that an augmentation of force exceeding the number so limited, shall, unless employed at the express requisition of the said Company, be at the public charge.

11. "That it is expedient that the church establishment in the British territories in the East Indies should be placed under the superintendance of a bishop and

three archdeacons, and that adequate provision should be made from the territorial revenues of India, for their maintenance."

Mr. *Robert Thornton*, deputy chairman of the East India Company, was bound in candour to admit the great liberality of manner with which the noble Secretary had treated both the servants of the Company in India, and the directors at home. This was particularly satisfactory, when a great change of system was proposed, as it shewed that there was no complaint of mismanagement, but a full approbation of their measures. He claimed the attention of the Committee from the vast importance of the subject before them. It concerned two empires; the happiness of 60 millions of persons in India, and of 13 millions in Great Britain. It had the sanction of sixteen acts of parliament under various sovereigns—had lasted for 213 years; and departed statesmen, who had great authority with different and adverse parties in that House, had all joined to support a monopoly of trade to the East India Company. When the hon. member recollected this, he could not believe that such a system would be set aside. He read several quotations from the departed statesmen alluded to, and said the spirits of the mighty dead gave a solemn warning to the House. The noble Secretary had treated this as a commercial question, but if it was so, it was also tenfold more a political one, and in this point of view he should take leave to consider it. The noble Secretary had intimated that the sovereignty of India was left with the directors, and that only a commercial change was to be effected. But what, he would ask, would the natives of India think of the sovereignty of the out-ports—Liverpool sovereigns—Bristol sovereigns, and sovereigns from the county of Cork? The Hindoos might not be ready to worship this new political Baal; quarrels and contentions would perhaps ensue in a country governed by opinion, and we might lose India by the dangerous experiment. He said the Company was not a political play-thing, that could be taken up and laid down at discretion. If we deranged its machinery, or gave it into many hands, it might be destroyed, never to be repaired again. He spoke of the dangers to be apprehended from an influx of adventurers into the Indian territories, and the colonization that would take place. The noble lord had not detailed the whole of his plan, and had failed to be exact and specific in naming the out-ports, or number of out-ports that were to have the benefit, or as he should call it, the evil of this new monopoly, and who were to undertake the arduous task of changing the climate, the manners, the customs, the prejudices of the people in India, and of enriching the eastern world. With respect to the Petitions on the table of the House, some of them were from places which could derive no possible benefit from the extension of the India trade. There was one from a district of Scotland which could export nothing but horned cattle. He wished the petitioners had addressed themselves, in their petitions, more to the head and less to the passions. The Petition of the Kidderminster manufacturers complained of having suffered by the calamities of war, and prayed that if peace could not be restored, that at least the nuisance of the East India Company would be abolished. In the pamphlets and publications which he had seen on the subject, it was astonishing to see the manner in which the credulity of the country was attempted to be worked on. It was said, Would they allow foreigners to run away with the trade? He should be sorry that this should be the case: but it was very hard to the East India Company, that because the Americans had been so much favoured in a treaty in which the East India Company's interests were little consulted, the East India Company should now be sacrificed on that account. America carried on trade in her neutral character; and when the ports of other countries were shut to us, it was not easy to put a stop to that trade: but America had not exported any of our manufactures to India; and the example of that country could not be adduced as a proof, that the exports from this country to India could admit of any considerable increase. It was, in fact, impossible for the natives of India to be the consumers of our manufactures. How could one of their people, whose annual income amounted only to between four or five pounds, afford to purchase any of the costly manufactures of this country? With respect to colonization, he would affirm, that the influx of foreigners who might drive the trade to India would, if they met with a disappointment, endeavour to get into the vortex of the Indian courts. What remuneration were the gentlemen of the out-ports prepared to

give, for the cruel sacrifices to which they wished to subject the Company? Before the commencement of the troubles of France, the universal cry in that country was "liberty and trade," and now their ports were completely shut to trade. That ought to be a lesson to them, how they listened to idle clamour. He thought, that if it was possible, without being intolerant and without risking the peace of the country, to introduce a purer religion among the natives of India, commercial habits were more likely to be introduced among them from that circumstance than in any other way. He wished the House to hesitate before they gave their sanction to the proposed innovation. Would they change experience for theory? The East India Company were of no party; they threw themselves on the country; and they trusted that every consideration would be given to the subject before any thing should be concluded upon.

Mr. *Protheroe* differed in opinion with the hon. gentleman who had just sat down, whom he considered as the organ of the East India Company: he would not, however, enter into any discussion that night, but had no doubt, he should be able to shew at a proper time the futility of the arguments advanced by the hon. gentleman.

General *Gascoyne* recommended that the House should take the proper course pointed out by the noble mover, suffer the Resolutions to be printed, and then come to the discussion upon them.

Lord *Castlereagh* apprehended that the Resolutions might be in the hands of members by to-morrow evening or the following morning. With respect to evidence, it was a question whether they ought to have it or not. It was the opinion of many with whom he had conversed, that the time of the House ought not to be wasted with evidence. He had no reluctance to consent to the debate coming on in the latter end of the week instead of the beginning; but if evidence should be gone into, it could not be too soon.

Mr. *Whitshed Keene* contended that there were many persons in the country, capable of affording much information to the House with respect to India, and the consequences which would be produced by an extension of trade, and he should therefore move, at a proper time, that evidence be called to the bar.

Mr. *Tierney* said, it was not his intention to enter into any observations upon the question at present. The time of the House ought to be occupied with the statement of the noble lord, who had performed his task in a very able and satisfactory manner. The Resolutions ought to be a sufficient time in the hands of members to allow them to make up their minds before entering on any discussion. The hon. gentleman who spoke last, had anticipated, in some measure, what it was his intention to say. He wished for evidence on one or two points, on which he did not know where to turn for information at present. The speech of the noble lord had narrowed his attention to one or two points. The noble lord had stated the great advantage which had accrued to our Indian possessions, from the system of management which had been pursued for the last twenty years. In this eulogium he cordially agreed with the noble lord. Although he had no doubt that many improvements might yet be made in the system of management, he had no hesitation in stating that it was highly creditable to the East India Company, and the board who had the superintendance of Indian affairs. Let gentlemen look back to the Reports on this subject in the time of Mr. Burke, and they would see that the great object was then to draw the attention of the House to the abuses in the government of India. But now there was no attempt made to state the existence of abuses in India. This was a point which ought not to be lost sight of; that the system by which India was governed, was one which was acknowledged to have contributed to the happiness of our subjects of that country. He stated this to shew the value of the object which was at stake. That from the mode on which India was governed, the people enjoyed happiness, was attested by every side of the House; and he was, therefore, unwilling to expose that happiness to any hazard. There were persons in this country at present, who could deliver an opinion on this subject from their personal experience; the evidence ought not to be spun out; but proper persons might be examined, as to what, in their opinion, would be the result of an influx of persons of all descriptions into India. He knew the noble lord had said he had checks. But he could not see how that could be called a free trade, when a native of Liverpool might be allowed to go to India, where he could not be subjected to his own government, but that of his competitors and rivals, who might send him

home without assigning any reason for so doing. He wished to see what compensation was to be held out to induce him to agree to this alteration in the Indian system. The persons who were calling for an open trade, might be admitted to be good evidence with respect to the advantages of an open trade. He had not as yet seen any thing beyond assertion on the subject. His own opinion was that the exports would be increased by the extension to a very considerable degree; but he wanted to hear from the manufacturers what assurance they had upon this subject, as they were the persons who ought best to know where they sent their goods to. However, after the blunder they committed on South America, he was not disposed to place the greatest confidence in their opinion. If they were to hazard the safety of India, he wanted to see the evidence of the great gain for which this was to be done. For the question now narrowed itself to this point—having a great empire well governed, they were to put this empire to hazard for the sake of an increase of trade! Was it asking too much to wish to know where that trade was to come from? And if from the evidence it should appear, that this increase would be but trifling, it then became a question whether it was worth while to risk that empire for such a cause? The noble lord had stated the revenue from the Indian trade to be 400,000*l.* Suppose that revenue doubled by the alteration—if persons of experience were to tell them that to come at this they might hazard the overthrow of their India empire, would any man say, that in such a case the increase of revenue ought to have any weight on their minds? All he wanted was, that before the House argued the question, they might have something to argue upon. It was not enough to say, Here is a country of such an extent, with such a population, and of course this population will be induced to take off a quantity of our manufactures. He recollected hearing of a person having sent out a most excellent assortment of mouse-traps to the Brazils. The person said he knew there were mice in the country, and as the traps were good, a sale was certain; but when the traps arrived the people would not use them; it seemed they had a prejudice against mouse-traps.—If they were to apply to the evidence immediately, it would be ready by Easter, and might be put into the hands of members before the Easter holidays. What they might lose in evidence they would save in speeches. He was desirous to have the opinion of such men as lord Teignmouth, lord Wellesley and Mr. Hastings on this question.

Mr. *Canning* said, if any of the parties before the House wished for evidence, there could certainly be no objection to it. He knew not for his part, whether his constituents were disposed or prepared to bring forward evidence. He did not see that it was necessary for them to support the proposition of a free trade by evidence. What the right hon. gentleman had said with respect to absurd cargoes might be answered in this way—that having happened once, it was less likely to happen again. The manner in which the noble lord had opened the subject to the House, was as temperate and candid as possible; the interests of all parties seemed to have been weighed by him deeply, and balanced against each other. The first of the noble lord's Resolutions went to affirm the expediency of maintaining the government at present existing in India. That government had received the complete approbation of the House and of the country. But in reflecting on former periods, although the contrast was favourable to the present, they ought not to forget that to the discussions which formerly took place much of the good which now existed might be owing. He said he was as free to form an opinion on this subject, as if he represented the borough which he had given up. With respect to the China trade, admitting that the India Company was a fit instrument for the government of India, and that to carry on that government, it was necessary that they should be in possession of an adequate revenue, still the question was open for consideration, whether the best revenue was the assignment of the monopoly of a beneficial trade. If it could be proved that it was possible to carry on this trade more beneficially by others, he would say throw it open, and assign a proper revenue to the Company for carrying on their government from some other source. It was a question, however, whether the country was yet ripe for this trade. He thought it would be better not to bind up this trade during the whole term of the charter. On the whole, the Resolutions appeared to be framed with an anxious regard for the welfare of all parties, and he earnestly hoped they would be considered in the

same spirit with which they had been offered, the whole terminating in a measure calculated to promote the prosperity of the country.

Mr. *Charles Grant* made a few remarks on the speech of the noble lord. He said, that the argument derived from the opening of the trade to the Americans was of no force; for this was an act of the British government, not of the India Company. The remedy, too, was easy. It was only to shut out the Americans. The noble lord apprehended no danger from colonization. But many, who had resided a long time in India, thought differently; for instance, lord Cornwallis and others. He did not like the scheme now proposed, which went to throw down the whole fabric of the India Company. He was also hostile to hurry, and wished that evidence should be heard on certain points; for instance, as to the probability of increasing the export of British manufactures for Indian consumption. It was certain that no new articles had been sent out to that country since the opening in 1793.

Mr. *Robinson* wished to know if the noble lord's intention was to restrain the ships licensed from this country from engaging in the coasting trade of India, as he apprehended ruin must ensue to the native traders if that were permitted?

Lord *Castlereagh* thought it unlikely that any trade in which British ships could engage, should be productive of the ill effects which the hon. gentleman imagined must be inflicted on the Lascars and native traders. He agreed to the hearing of evidence, and expressed a hope, that it would not be pushed to an inconvenient extent. It was sincerely his wish so to shape his Resolutions, as to afford every facility for discussing the question in the clearest and most ample manner; and though there were reasons for not adopting the method, hinted at by a right hon. gentleman, he should be open to any suggestions for alteration, which might give scope to fair discussion.

Mr. *Wilberforce* complained, that the Resolution of the House, of the 14th of May 1793, relative to the religious and moral instruction of India, had not been attended to. He was unwilling to leave the same power in the hands of the directors for twenty years to come, who had set their face against the introduction of preachers into that country for twenty years past.

Mr. *Baring* observed, that there was great apprehension of risk on that point, and a question of such magnitude ought to be left to the government of a country who were best acquainted with the circumstances which would ensure its quiet and safety. He then went generally into the commercial subject, and censured the government for its conduct in the correspondence with the India House.

Lord *Castlereagh* said, the subject of religion was one of equal delicacy and importance. If the East India Company did not understand what was best for the country, he was sure they were not fit to govern it; if they were fit to govern it, he thought it would be invidious to interfere with them in the manner mentioned by his hon. friend. With regard to what ports the trade should be extended to, it was not his intention to confine it to those which might be qualified to enter upon the traffic now, but that it might be left with the Treasury, to extend the privilege from time to time, whenever a port, by its regulations and provisions against smuggling, &c. appeared in a condition to be safely entrusted with the trade.

Mr. *W. Smith* concurred in thinking it expedient that evidence should be procured by the examination of witnesses at the bar of the House.

Mr. *Stephen* spoke against confiding the morals of the people of India for 20 years more to the East India Company.

Mr. *R. Gordon* thought that the House was called upon to legislate for the civil rights of the people of India.

The Chairman reported progress, and asked leave to sit again on Tuesday next.

HOUSE OF LORDS.

Tuesday, March 23.

Naval Administration.] The Earl of *Darnley* referred to what he had said on Friday relative to the succession of disasters experienced in our naval war with America, and observed that reflection had only confirmed him in the propriety of bringing forward the subject for inquiry. It was not his intention, however, to confine his motion to the naval administration, but to embrace other points connected with the conduct of the war, in which he contended the weakness and imbecility of ministers were rendered strikingly manifest. He therefore moved that the Lords be summoned for Tuesday the 6th of April. Ordered.

Stipendiary Curates Bill.] The or-

der of the day being read for recommitting the Stipendiary Curates' Bill,

The Earl of *Harrowby* rose and recapitulated all the leading features of the Bill which he had previously detailed to their lordships, and urged the absolute necessity of enforcing the residence of the incumbent clergy and of augmenting the income of the stipendiary curates, who at present were little better or hardly so well paid as day labourers. In queen Anne's reign the minimum of the curate's salary was fixed at 20*l.* per annum. But the difference in the value of money should be taken into consideration, and at that period there were in England 2,500 livings, each not exceeding 20*l.* a year. To the natural effects of non-residence and the utter insufficiency of the curate's stipends, his lordship imputed the general indifference which prevailed in the public mind towards the established church, and the increase of dissenters.

The Bishop of *London* approved of the principle and the motives which actuated the noble author of the Bill, but he saw much mischief in the probable result of it. The evils which it professed to remove would infallibly be entailed on succeeding generations. He should not, however, oppose the Bill going into the committee, as he should there have an opportunity of stating more fully his objections to several of the clauses in it.

The Duke of *Norfolk* thought it would be impossible for any legislative enactments, to compel a definite provision for curates, as private agreements would still be made between the curate and the incumbent.

The Archbishop of *Canterbury* observed, that non-residence was not an evil of new growth, but had been coexistent almost with the first establishment of the Christian church in Britain. It was now, he believed, considerably diminished. The evils, however, of which the noble earl complained, arose from the poverty of the church, and the want of adequate provision for the incumbents. He admitted that there were some useful enactments in the Bill, but to apply a general Act to the making provisions for curates without leaving any discretion as to the numberless circumstances that arose would be like making a suit of clothes to fit the moon in all its changes.

The Archbishop of *York* was also desirous of going into the committee.

Lord *Grenville* was anxious the Bill should go to a committee, that the object might be attained in the best mode. He believed that the evil of non-residence was increasing.

The Bishop of *Durham* was of opinion, that the only mode of securing the proper performance of parochial duties, was to increase the salaries of the curates.

Lord *Ellenborough* doubted the propriety of some of the means adopted in the Bill, for carrying into effect the proposed object, and thought that some course should be devised of giving information to the bishop in some authentic mode of non-residence, to enable him to act without risk.

Lord *Holland* had many objections to the Bill, but as the sense of the House appeared to be for going into a committee, he should not oppose it.

The Bill was ordered to be committed on Monday.

HOUSE OF COMMONS.

Tuesday, March 23.

MOTION FOR A COMMITTEE ON THE STATE OF EDUCATION IN IRELAND.] Sir *John Newport* rose to bring forward his intended motion on the subject of Irish schools. So long ago as 1806, he had moved for a committee to be appointed to inquire into the state of education in Ireland, and the House had no less than 14 Reports of that Committee lying on their table, yet nothing had been effectually done on the subject. He could have wished that no step had been taken by the Irish government, till the 14th Report had been published, which contained a general plan of education for Ireland. The object would be best attained by a committee of that House, composed both of English and Irish members, which would prevent that local bias which was almost inseparable from local interests and connections. In Ireland there was a large mass of property applicable to the purpose of education, consisting partly of crown grants, and partly arising from private donations. The former, particularly the crown grants in Ulster, he thought, might be transferred to the kingdom in general. The funds, arising from private donations, he conceived, should be strictly appropriated according to the intentions of the donors, however narrow they might be. The salaries of many of the schools in Ireland were too large; in some they amounted to 1,000*l.* in others to 1,400*l.* per annum.

He did not think that this was the principle best adapted to produce excellent schools—it was not supplying a stimulus to exertion, but was making a provision for indolence. The great public schools in England, as Eton and Westminster, had no such enormous endowments for the masters; and the two best schools in Ireland, namely, Kilkenny and Beltown, had no salary, except what arose from the number of the scholars. He wished to avoid every topic that might lead to acrimony of discussion; but he thought it necessary to state his decided opinion, that the schools of Ireland should be bottomed on the principle of giving to the rising generation the best moral instruction, independently of any differences of religious opinion. The introduction of these would evidently defeat the end in view altogether. In this he had the authority of the 14th Report, which recommended the avoiding every religious difference. If schools had been kept up from the time of queen Elizabeth, in Ireland, according to the spirit of the Act passed in that reign, what benefits might we not now have seen flowing from it! It had been pretended, indeed, that it was impossible to avoid this rock of dissension in a country like Ireland—that Protestants would wish to make these schools an instrument of conversion from Popery, as Catholics would of conversion from Protestantism. But there was one fact which contradicted this opinion: from the Report of the Dublin daily and weekly School Committee, lately published, it appeared, that 28,000 children had been educated in that school, from its first establishment; that 1,400 children, male and female, belonged to it in the last year; that many of the most respectable traders in the city of Dublin had been educated in it, and that the most complete harmony had always subsisted between those who had the conduct of it. Yet among these we found respectable names of all religious professions—there were the names of several of the Protestant as well as titular bishops of Ireland. He stated this fact, because he thought it an important one, to shew how far differences of opinion on this subject might be mutually avoided in the attainment of this great national object. The right hon. baronet concluded with moving, "That a Select Committee be appointed to examine into the State of Education in Ireland, and specially to consider of the evidence furnished, and the plans and measures suggested, in the fourteen Reports presented to this House from the commissioners appointed under an Act of the 46th year of his Majesty for that purpose; and that they do report their opinion as to the fittest course which can be adopted for speedily and permanently extending the benefits of education to all the people of Ireland, and for duly securing, augmenting, and rendering efficient the funds destined to that most desirable object."

Mr. *Peel* acquiesced entirely in the views of the right hon. baronet, though he differed much as to the means he had thought proper to adopt to promote them. The right hon. baronet had stated the object of his motion to be to prevent the reports of the commissioners from being a dead letter, but he could not conceive that he would be farther removed from its attainment though he had deferred any discussion of the subject till the second reading of the Irish School Bill, which was fixed for to-morrow. The right hon. baronet would recollect, that he had admitted, in private conversation with him, that this Bill was imperfect, and that he had even suggested some alterations by which it might be improved. There was one alteration in particular which was meant to meet one of the chief objections which had been advanced by the right hon. baronet, namely, the state of the masters of the schools: this was provided for by an entire new clause. He could not think that the select committee moved for by the right hon. baronet was otherwise than completely nugatory. Assuredly, he was the last man who would throw any obstacle in the way of the extension of the advantages of education to the Irish people; never would a refusal to such effect be more pregnant with injustice, for in no case could the claim be stronger, if capacity and anxiety to employ it could constitute a claim. Many instances evincing the thirst of knowledge felt by the Irish peasantry, such as must arouse the warmest feelings in every generous mind, had come within his knowledge. It was a thing quite frequent for working people to deprive themselves of all advantage from the labour of their children, in order that they might have their whole time devoted to literary acquirements; and he knew one parish in which there were no fewer than eleven evening-schools, where adults used to repair after the toils of the day, in order to procure that culture which had been denied in their earlier years. He

could not let the opportunity now afforded him pass without endeavouring to expose the injustice of the cry which had been raised against the clergy of the established church, and this, he conceived, would be in a great measure effected by his stating, that the Fourteenth Report, which had received from the right hon. baronet so much and such just eulogium, had been signed by many dignitaries of the national church. The right hon. member here proceeded to name the archbishop of Armagh, and some other persons of high rank in the established church, and after a few observations, concluded by expressing his intention of opposing the motion. Upon the whole, he thought the subject could not be put in a better train than at present pursued, and that the motion was unnecessary.

Mr. *Wellesley Pole* said, that he agreed with the right hon. baronet and with the rt. hon. gentleman, that this was a subject of the highest importance; he thought it deserved the most serious attention of parliament, and that it should be thoroughly considered by the House; but he could not concur in the proposition of the right hon. baronet to refer the Reports of the Board of Education to a select committee. He was of opinion that it was the duty of the executive government to take the great question discussed in those Reports under their care, and having maturely weighed it in all its bearings, to submit to parliament such a plan or plans as might appear to them the best calculated to attain the high and beneficial objects which parliament had in view when the Board of Education was established. The commissioners (of whom it was impossible to speak in too high terms) had collected all the information which the right hon. baronet could hope to obtain by the appointment of a select committee. It appeared to him, that they had performed the exact functions which such a committee as the right hon. baronet proposed would have to execute. They had collected the materials on which the executive government could form their plans for the consideration of parliament; and from which parliament would be enabled to decide upon the propriety of adopting or modifying what might be submitted to them. They had in fact spent nearly seven years in collecting the very materials that a select committee, were they appointed, would be bound to collect. He could not therefore see upon what ground the House could be called upon to appoint a committee. The information contained in the Reports was amply sufficient to enable government to take the necessary steps, and to enable the House to decide upon the propriety of any measure which ministers might propose. During the time that he held a high official situation in Ireland, he had felt it to be his duty to turn his attention particularly to this subject, and to consider it deeply, and he was now prepared to state distinctly and candidly what in his opinion were the steps which government ought to take. Indeed it would be affectation in him to pretend that he had not made up his mind on the whole question; either he must have been wholly unfit for the situation he had held in the Irish government, or he must upon so important a question have informed himself completely, and have fixed his opinions as to the proper course to be pursued. The right hon. baronet was not quite correct in stating that the first notice which the Irish government had taken of the labours of the Board of Education, was after thirteen of their Reports had been laid upon the table of the House. The fact was, that in the session of 1811, when only eleven Reports had been presented, he had attentively examined them with a view of then submitting some measure to parliament upon the subject, but he found that they were so complicated in their nature, and embraced so many points, that he could not with propriety at that time propose any definitive measure to the consideration of the House. He however had felt it to be his duty to bring in, what he stated at the time to be a mere skeleton of a Bill, with the view of calling the attention of the House to the subject. Having introduced this Bill, he, with the permission of the House, had it printed, and let it lie over till the next session, in the hope that during the recess gentlemen would turn their attention to it, and that when they met again, some efficient measure might, after such mature deliberation, be adopted. But during the recess between the session of 1811 and 1812, so many new lights were thrown upon the subject, and so much fresh information was obtained from the Board of Education, that it was thought more advisable to wait until the commissioners had concluded their labours, and by the lord lieutenant's order they were directed to make their 14th Report upon the general system of education for the people of Ireland, that the whole subject might be brought at

once under the view of parliament. He had, therefore, not renewed the Bill in the last session, but had left it in his office, where it had been found by the right hon. gentleman, and introduced as he had stated.—He certainly did not think the Bill in its present shape at all applicable to the present circumstances of the case, the additional lights thrown upon the subject since he had framed the Bill in 1811, having entirely changed its bearings. The period was now arrived, when all the Reports were before the House, and he was sure every gentleman would agree with him when he said that they contained a most valuable mass of most important materials. He would say of the 14th Report in particular, that more wisdom, more liberality, more benignity, he believed were never displayed in so short a compass. He would now, with the permission of the House, take the liberty of stating the opinion which, after the best consideration, he had formed upon the whole of this great and complicated question, an opinion which he should not have presumed to offer if his attention had not been necessarily so particularly directed to the subject as a matter of paramount public duty. The subjects treated in the fourteen Reports of the Board of Education should in his opinion be divided pretty much as the Board had divided them in the 14th Report.—First, the endowed schools for classical education—next the schools for the education of the poor. He would separate the regulation of these two classes, and provide the means of controlling each distinctly. He was of opinion that all the public endowed schools in Ireland, whether of royal or of private foundation, should be under the inspection and controul of commissioners, appointed under the sanction of an act of parliament, who should be responsible to government, aye, and to that House, for the due execution of their duty. It was impossible to read the Reports of the Board of Education without being convinced that there was not a single endowed school in Ireland that had not at some time or other since its foundation been greatly mismanaged. He spoke of these establishments without exception, whether classical or otherwise; the Protestant charter schools — the Diocesan schools — Erasmus Smith's schools — the schools of royal foundation — Preston's schools—in a word all the endowed schools, and all the charity schools receiving aid from parliament, had, as appeared by the Reports, been at some time or other grossly mismanaged, and suffered to fall into decay. Many of those schools were now most admirably conducted, but that was owing principally to the exertions of the commissioners, who had in many instances compelled the persons who had the care of them to do their duty. And yet the trustees of all the schools which had been so mismanaged were persons of the highest rank, and the most exalted character. The inference he drew from these circumstances was—that all these establishments would inevitably lapse into error unless there were some persons whose duty it was constantly and vigilantly to inspect their conduct. It appeared to him, therefore, that it would be absolutely necessary to appoint some superintending power to watch over them. The plan then that he should propose would be to have two sets of commissioners appointed by separate acts of parliament. One he would invest with the superintendence of all the schools founded for classical education in Ireland, which were, as appeared by the Reports, about 46 in number. These commissioners ought not in his opinion to be persons filling the high offices of the state, or bishops, but gentlemen properly qualified for the task, who should be paid large salaries for the due performance of their duty. Besides these schools for classical education, there were 44 charitable establishments, receiving aid from parliament, for the education of the Protestant poor in Ireland, and these he would also place under the superintendance of the same commissioners. There were, as appeared by the Reports, eighteen schools on private foundations, endowed for the education of poor Protestants; these he should also propose to place under the controul of the commissioners of classical education. These three descriptions of schools, being about one hundred and eight in number, should be in his judgment under the inspection of the first class of commissioners, who should not be allowed to interfere with the subject of the general education of the country. The House would recollect that in the first 46 schools which he had mentioned, the Diocesan schools were included. With respect to those schools, he quite agreed in the opinion expressed by the right hon. baronet, that in some instances they had been neglected by the bishops. The right hon. gentleman who spoke last (Mr. Peel) had said, that the fault lay with the grand

juries, who were bound by law to provide the necessary funds for the erection of diocesan school houses, and that unless the grand juries erected the school houses, the schools could not be kept. But he was sorry to say that he could not acquit the bishops of a considerable degree of negligence. If the bishops found that the proper schools were not erected in their dioceses, they ought immediately to apply to the grand juries, and he was sure if they did so, the necessary sums would be most cheerfully granted. Had any respectable bishop attended at assizes, and represented to the foreman of a grand jury the propriety of granting money for building a diocese and school-house, there was not an Irish gentleman in the House, who would not agree with him when he said, the money would in such a case have been granted by acclamation. He came now to the consideration of the second branch of this subject, he meant that which related to the general education of the lower orders of the people. He approved very much of the plan suggested by the Board of Education on the 14th Report. It breathed a spirit of liberality and conciliation highly creditable to the great names under whose authority it had been framed: it would be a lasting monument of the wisdom and benignity of the commissioners. He applauded the suggestion, that the religion of the children should not be interfered with in the schools, but should be left to the care of their parents at home. This appeared to him to be most eminently calculated to promote harmony and good understanding among the people.—He agreed with the Board of Education, that it was of the utmost importance not only not to interfere with the religion of the children, but to have it clearly and unequivocally understood by the public, that you did not intend to do so. He thought nothing could be better calculated to attain the great object desired than the plan; as far as it went he admired every part of it. He thought commissioners should be appointed as the Report recommended, and that they should commence their labours in the order proposed, by creating seminaries for the qualification of masters for the supplementary schools which were hereafter to be established. The deplorable ignorance of the teachers at the numerous schools of the poor in Ireland was an evil that called most loudly for correction; it was most forcibly described in some able papers attached to the 14th Report. And he agreed with all that had been said in the 14th Report on this subject, and thought that one of the first objects of the commissioners appointed to superintend the education of the lower orders should be the providing persons properly qualified to act as school-masters. The adoption of proper books for the schools was also an object of the highest importance: and selecting extracts from the sacred scriptures, such as avoiding, all points of controversy, could not give offence to any sect or description of Christians, would be justly entitled to the early attention of the commissioners. In fact, they could not in his opinion be established upon a more wise, humane, and liberal principle than that recommended, nor could they proceed upon their labours in any order more likely to be beneficial to the public than that pointed out by the 14th Report. He agreed also with the Board that the time of those who were to carry the new plan into execution, would be wasted unprofitably by endeavouring to reform existing schools; and that it would be far better that their attention should be turned to creating new ones, whose example might in a great measure tend to improve those now existing. But he could not think that this observation ought to be applied to the parish schools, whose present situation afforded in his judgment the best means of carrying into effect the wise plan recommended by the 14th Report, and yet if he understood it, the commissioners meant to exclude the parish schools intirely from their plan. These schools were established in the reign of Henry the 8th, for the purpose of teaching the inhabitants of Ireland the English language, and the law directs that they should be kept by or at the expence of the clergyman of the parish: from that circumstance it appeared at one period to have been inferred, that the children brought up in the parish schools were to be educated exclusively in the Protestant religion. But that opinion is exploded, and in point of fact at present, children of every religious persuasion were eligible to be educated in these parish schools. There ought to be by law one of these schools in every parish in Ireland; and as there were 2,400 parishes, there should of course be as many schools. Every clergyman upon his induction into his living took an oath to keep or cause to be kept a school in his parish. He was sorry however to say that the law was very imperfectly complied with. The Board of Education with all its diligence had pro-

cured returns from only between 7 and 800 parishes; and it did not appear that there were above 550 parish schools now established in Ireland. In presenting his Bill in 1811 he had stated that he looked to the parish schools as the foundation upon which a general system for the education of the lower orders could be best erected; and he then declared that he thought the clergy should furnish a part of the funds which would be necessary. He was glad to find the principle upon which he proposed to act in some degree recognised by the Board of Education. In the appendix to the 14th Report they recommend 2s. in the pound to be assessed upon each clergyman for the support of the parish schools; but they do not recommend to establish them upon the principles laid down for the system of general education—they state the number of parishes to be 2,400, and they calculate that the parish schools ought to educate 120,000 children: they state the present number of children educated in the existing parish schools to be 23,000. Now what he wished was that the parish schools that were now in existence should continue upon their present footing; but that where new parish schools were established, they should be under the same regulations as the supplementary schools, and be furnished with a Protestant or Catholic master, according to the predominance of the religion in the parish, upon the same principle as the supplementary schools were to be created. You would by this means continue to leave the 23,000 educated in the parish schools, as they now are, and the remainder of the 120,000 would be formed upon the new and improved principle. This would certainly give a great facility towards carrying into effect practically and speedily, the benevolent views which have so laudably actuated the respectable persons who proposed the system of general education; and it seemed so obvious to him to take advantage of it, that he could not help thinking he had in some way or other mistaken the meaning of the Report in this particular. It would be a matter of the utmost importance to select with care and judgment the commissioners who were to superintend the education of the lower orders. Upon their discretion, credit, assiduity, and ability, as the Report observed, almost every thing would depend. They ought in his opinion, like the other commissioners which he had recommended, to be amply remunerated for their labours, and they should be strictly responsible to government and to parliament. They would undoubtedly have most laborious and important duties to perform, but he had no doubt but that gentlemen would be found who would ably and conscientiously discharge this interesting trust. The plan however could not only not be complete, but in his opinion it would be very imperfect indeed, unless some of the commissioners were Roman Catholics. A selection should be made from the most respectable part of both communions, to form the board to be entrusted with the execution of this charge, the most interesting that the mind of man can imagine—a trust, which if executed in the same spirit of benevolence with which it has been conceived, must tend most materially to enlighten and to amend the lower orders of the people of all persuasions. Upon the whole he was of opinion that the information then before the House was sufficient to enable them to legislate upon this subject, and that therefore it was not necessary that a select committee should be appointed. The House, he was convinced, might safely trust the arrangement of this great measure in the first instance to government, who certainly could have no other object or interest in this business but to give universal satisfaction; and he was sure the noble duke at the head of the government of Ireland, would be most happy to close his labours by the accomplishment of so great a work. He had no doubt but that his grace would offer to the House something worthy of the hand from whence it came, and of the assembly to whom it was presented.

Mr. *W. Fitzgerald* did not think the course proposed by the right hon. baronet would lead to the attainment of the object he had in view. In conformity to the spirit by which the reports of the commissioners were dictated, he thought that the best plan would be to leave the measure where it then was, and not to enter into any struggle for the credit of perfecting it. It should be left in the hands of those, who, if there were any act of grace, ought to have the glory of originating it; and he trusted that the House would not consent to rob the noble duke at the head of the Irish government of the satisfaction of effecting that which was one of the greatest objects of his political life; or impute to him, by acceding to the motion, that he had been guilty of any neglect of his public duty.

Sir J. Newport made a short reply; after which the motion was negatived without a division.

THE PRINCESS OF WALES.] Mr. *Whitbread* rose, and begged permission of the House to state to them the sequel of what had passed in consequence of the step he had yesterday stated he should take on the subject of the paper he had thought it his duty to read, and to remark on, to the House last week. As much misrepresentation had gone abroad as to the mode in which he had used that paper, he begged now to repeat what he had stated at the time, and as to the accuracy of which he was in the recollection of the House. He had stated that he did not vouch for the authenticity of the paper; though, from the quarter whence he had received it, he believed it to be authentic. He had stated that he was informed that many of the papers had given incorrect copies of the depositions of the witnesses, and had expressed his opinion, if the paper now in question was correct, that many of the impressions abroad against her royal highness the Princess of Wales must be removed. He did not say that the Lords Commissioners had been guilty of any fabrication; that they had been guilty of any suppression or addition, in the evidence which had been taken by them. But he had said that, if the paper which had been put into his hand was to be considered as authentic, the conduct of the Princess of Wales, as to the imputation of having acted in a manner unbecoming a married woman, was very much relieved. He did not read the questions as having been actually put; but only said, if such questions had been put, that they ought not to have been put. He had believed that the questions, as well as the answers, had all been taken down, as was the practice in taking evidence before the House of Commons, and also before private committees, as well as in the court of Chancery, so, in a commission of so important and delicate a nature as the one in question, he had presumed that a similar rule would have prevailed. He had been led to believe that the questions and answers had been taken down. He was sorry, at the time, not to see an hon. and learned friend of his (sir S. Romilly) in his place; but the moment he had heard from his hon. and learned friend that the questions had not been taken down, that moment he felt that he could not set up the paper as an authentic document, and so he stated to the House. Still, however, he did believe that the witnesses could not be entirely forgetful of the impressions under which they gave their evidence; and being of opinion that if the questions contained in the paper were the questions actually put to Mrs. Lisle, on which she gave the narrative contained in her deposition, that those questions, as he had formerly expressed himself, took the sting out of that deposition, agreeably to what he had intimated to the House last night, he had written to Mrs. Lisle as follows:—

"Dear Madam; I am exceedingly sorry to be troublesome to you, and especially on such an occasion; but when I have stated the case to you, I have no doubt you will acknowledge the necessity I am under of addressing you.

"On Wednesday last, before I went to the House of Commons, a paper was put into my hands, of which I send you a copy inclosed.

"I was assured it contained an authentic account of your examination before the Lords Commissioners on the conduct of the Princess of Wales.

"Believing in the integrity of the person who made the communication to me, I read the paper, as I was told I might freely do, in the House of Commons; and, as I thought, that justice demanded I should.

"Lord Ellenborough has this evening declared, in the House of Lords, that the paper is a false fabrication, as I understand, from those who heard him; and that the other Commissioners have expressed their opinions, although more mildly, to the same effect.

"So circumstanced, I am compelled to ask you, whether you agree in the character ascribed to the paper by the noble lords—if you do, I shall only have to lament that I have been so imposed upon, and to acknowledge the imposition practised upon me.

"If the paper should ever before have been seen by you, I shall be extremely glad to receive all such information as you may have it in your power to give respecting it, that I may trace the fabrication to its author. I have the honour to be, dear Madam, your faithful servant,

(Signed) "SAMUEL WHITBREAD."

"*House of Commons, March* 22, 1813."

He wished to state the House, that in his letter to Mrs. Lisle he had selected the

softest expressions reported to him to have been used by lord Ellenborough. He had heard of such terms employed by that noble lord, as had been long banished from all the intermediate classes of society. Such terms as were not necessary for the assertion of innocence, the vindication of character, nor even for the purpose of premeditated offence. Amongst the very lowest of mankind they were common and disregarded, and amongst the highest, he hoped and believed they were exclusively confined to the sacred person of the Lord Chief Justice of England. Unexpectedly this morning he had received the following answer:—

"*Canbury, March* 23, 1813.

"Dear Sir; I received this morning your letter, with the accompanying account of my examination when before the Lords Commissioners, in the year 1806, and having compared it with the original documents, I find them exactly similar.

"On my return from the Lords Commissioners, I, to the best of my recollection, committed to paper the questions which had been put to me, and my answers; and I transmitted a copy to the Princess of Wales, having received her Royal Highness's commands so to do.

"It has never been my intention to set up these recollections against my deposition; and as little has it been my wish, that they should be made public. Indeed, so scrupulous have I been in this respect, that with the exception of the copy sent to the Princess, immediately after my examination, the paper now in question, was not till very recently seen by my nearest connections; even now it would not have been seen by them, had not erroneous statements and garbled extracts from my deposition, appeared in some of the public papers.

"How the paper has found its way into your hands, I guess not, as I have already stated, it has not been by any act or intention of mine; but certainly the paper which you have sent me is a correct copy of the one that I had written. I am, dear Sir, your faithful and obedient servant,

"Hester Lisle."

Having read this letter, he hoped neither the House nor the public would expect him to say that he had been imposed upon. This was a paper containing Mrs. Lisle's recollection of questions put to her at the time of her deposition, and which she immediately afterwards put down in writing. She did not wish this paper to be taken as in opposition to, or in contradiction of her deposition, more than he (Mr. W.) did. There was no difference alleged as to the answers. The only dispute was, as to the questions, and as to the meaning in which the term "married woman" was to be taken. In no other respect did he mean to set up the impression of Mrs. Lisle's mind at the moment, against the deposition of Mrs. Lisle, taken down in writing by the Lords Commissioners. He never meant to charge the noble lords with any fabrication or falsification of evidence whatever. But he must still say, that he should esteem himself blameable, if, having the questions in his hand, he had not, by reading them along with the deposition, endeavoured to extract from it its sting. In doing what he had done, he was satisfied that he had consulted justice.—He could not now pretend to say, that the Lords Commissioners had taken down questions as well as answers, but he could not think of throwing out so gross an imputation on an honourable person like Mrs. Lisle, as to suppose that she would put down, as part of her examination before the Commissioners, any thing which did not take place. So cautious was she, indeed, that as to one question, of the precise answer to which she was not certain, she leaves it blank. He was sorry to give pain to any one, particularly to noble lords, with whom he had always stood on the most friendly footing; and to a noble lord of such elevated rank as the Chief Justice of England. He had a duty to discharge, however, paramount to all feelings of the kind. And he must now say, that if the same thing presented itself to him at the present moment, he would follow the very same course he had done; and would with confidence throw himself on the justice and candour of the public. (Hear! hear!)

Lord *Castlereagh* should not have risen, except for the concluding declaration of the hon. gentleman, who had stated, that he would act over again the same part, if it were necessary. The hon. member surely, could not have read the paper which had excited so much animadversion, unless he then believed that the deposition either suppressed what was true, or contained what was false. For it would be, indeed, a strange perversion of justice, and a most unprecedented course of proceeding, if the formal testimony and recorded depositions of witnesses under exa-

mination in any court, or before any magistrate, were to be contradicted by subsequent explanations, and imperfect and distant recollections, to be set up in parliament against regular and attested evidence. The proceeding was rendered still more objectionable, as it tended directly to a derogation of the great judicial authorities of the country. The hon. gentleman himself was too well read in the constitution, and he was confident that its principles were too deeply impressed on his mind, not to justify him in contending on his behalf, that an imposition had been practised upon him. He conceived that the hon. gentleman ought to have consulted others respecting the authenticity of the document, before he had produced it to the House, and that the circumstance of his hon. and learned friend (sir S. Romilly) having attended the investigation, should have operated as an additional motive with him, to ascertain, in the first instance, whether the paper was such as might be justly contrasted with the deposition, or considered as entitled to the same degree of credibility and confidence. He hoped, therefore, that the hon. gentleman was prepared to admit, that he was at least so far in error, and had been convicted of acting hastily and imprudently.

Mr. *Whitbread* said, that the noble lord had put many words into his mouth, for the purpose of making him acknowledge what he by no means did acknowledge. He denied, distinctly, that any imposition had been practised upon him, and if it had, he should be ashamed to throw upon another his own defect, in not having made due enquiry. Thus far he might have been deficient. But to say that he had been imposed upon, if by that was meant that Mrs. Lisle had fabricated the document in question, or that the person who gave it to him meant it should convey an impression different from the true one, he must contend was unfounded. He would further say, that he did not intend to derogate from the authority and character of the commissioners; but he did express his surprise that questions, such as he had described, had been put to the witness by so high a legal character as lord Erskine. Had he been told at the time that the paper contained only the recollections of Mrs. Lisle, he should equally have thought it his duty to comment upon it in the way he had done.

Lord *Castlereagh* replied, that as a general principle he did not conceive the hon. gentleman was warranted in commenting upon the recollected evidence of the witness, in opposition to her formal and attested deposition.

Mr. *Whitbread* rejoined, that he had not produced the copy to oppose, but to explain the testimony of the witness.

Sir *Arthur Pigott* said, he had no desire to protract the discussion of a subject so painful and inconvenient as the present; but at the same time, he could not forbear expressing his decided disapprobation of that irregular proceeding which had caused so much animadversion. In his opinion, the paper that had been introduced by his hon. friend, and which had been called evidence, and an authentic document, deserved neither of these appellations. He was sorry his hon. friend had been betrayed into such a proceeding, for although he imputed nothing but the purest intention to Mrs. Lisle, her copy of the examination could never be made the foundation of any parliamentary measure, or of any authentic parliamentary statement. Questions were, indeed, taken down before some commissioners, and in particular courts, but never before magistrates, as his hon. friend who had so often acted in that character must well know. There were many reasons for not noticing questions; the object was always information, not the mode by which it was acquired; and supposing that they were negatived, or productive of no material answer, it would be utterly useless to minute them down in writing. The most essential interests of justice must suffer and be endangered, if the solemn and sworn testimony delivered by a witness, were to be subjected to after correction, or to be explained away at a subsequent period. Few or no persons could entertain sufficient confidence in their memory, to repeat with precision the words in question that had been put to them. His hon. friend had, therefore, he conceived, acted with precipitation, and he the more regretted it, as he had, in so acting, affixed a stigma on the conduct of high and grave personages, who had been engaged in the discharge of a very arduous and important duty.

Mr. *W. Elliot* expressed great reluctance to protract the irregular discussion then before the House, but hoped he should be permitted to say a few words upon the question. He would acknowledge that the impression made upon his mind by what had fallen from his hon. friend on a

former evening was (to use his hon. friend's expression) that the published deposition of Mrs. Lisle was only an abstract of that which she had really made; and that consequently suspicions attached to the four noble Commissioners. The matter, indeed, now wore a very different appearance, and he strongly deprecated the notion of his hon. friend, of setting up the subsequent testimony of Mrs. Lisle against her formal deposition. He did not mean to speak with disrespect of that lady; he had the honour of knowing her, and of holding her in the highest respect and estimation. His hon. friend had admitted that she was much afflicted during her examination; that her mind was in a state of great agitation; and yet she was able to recollect distinctly upon her return home all the questions that had been put to her, and all her answers to them. Mrs. Lisle would not, he was certain, state that she had such a memory. Yet, though Mrs. Lisle declared she would not pretend to oppose her recollections to the deposition authenticated by the Commissioners, his hon. friend had maintained that if she asserted the authenticity of the document he had read, he should still persevere in his opinion of it. A principle like that he did consider as affecting all the recorded evidence in the country; he regretted its adoption by his hon. friend, and he also regretted that he had produced a minute of that sort without cautiously ascertaining its authenticity.

Mr. *Whitbread* declared, that he had intended nothing more in the observations with which he had introduced the paper in question than to express his surprise that the answer of Mrs. Lisle to the question relative to her opinion as a married woman, was not inserted in the deposition. His hon. and learned friend (sir S. Romilly) had said, he believed that no original copy was presesved of the examination, but that after the proceedings had terminated it was destroyed. [Here sir S. Romilly said, "certainly not."] He had then mistaken, but had not intended to misrepresent his hon. and learned friend. He again averred that he never had any intention of imputing improper motives to the noble lords entrusted with the commission.

Sir S. *Romilly* observed, that it was entirely a mistake to suppose him ever to have said that a single paper belonging to the commission had been destroyed. He believed, too, that it might be material to add, that there never was but one copy of the evidence, the original paper being retained with all the corrections of the witnesses, before they signed the depositions. In one instance only, he believed, although he could not be confident, the corrections and interlineations were so numerous, that a fresh copy was taken.

Mr. *Ponsonby* said, there could not possibly be a more forcible illustration of the frailty of human memory, and of the little dependence which could safely be placed on it, than had been afforded by his hon. friend himself, who it seemed was incapable of recollecting either what he had himself, or what his hon. and learned friend had said a few nights ago. With respect to the paper then read, his opinion at the time was, that it must be a fabrication. He had returned from the House to write a note to his hon. and learned friend, to acquaint him with the nature of the paper that had been produced, and had stated to the House, that if it were authentic, it must overwhelm the Commissioners with disgrace. His hon. friend had said he did not mean to set up that recollected testimony against the formal deposition. But he begged leave to say that his hon. friend could not do so; and if he did, the only effect would be to destroy the credit of the witness whose credibility he wished to uphold. And now he must say, and he said it with regret, but it was a course which candour and honour pointed out to him, that he did think he had great cause to complain of the conduct of his hon. friend. He hoped his hon. friend would not be offended if he spoke plainly and sincerely his opinion. He sat by the side of his hon. friend on the night he made his motion, and he never once intimated to him that he meditated so grave a charge against four noble persons, with three of whom he was intimately connected, and in whose character he felt an interest as deep as he felt in his own. He did think therefore, that he had great cause of complaint against his hon. friend, in not giving him an opportunity of ascertaining from those noble lords, the authenticity of that document, if his hon. friend did not think proper to do so himself. He could not help saying, that the impression on his mind, at the time, was, that the Commissioners had not taken down the deposition faithfully, but that they had substantially falsified it. He said, on that night, that a graver charge could not be brought against them; and he would now say,

that if the Commissioners had so acted, in a case of such magnitude as one touching the life and honour of the wife of the heir apparent to the crown, they would have merited impeachment in that House, and the severest punishment parliament could inflict upon them. He hoped his hon. friend would excuse what he had said of his hasty conduct, at least, to use the mildest term, in not apprising him, or the noble lords, of the existence of such a document, before he brought it forward in so solemn a way.

Sir *Francis Burdett* could see no grounds for the accusation in which so many hon. members had joined against the hon. gentleman, who appeared to him to have exerted himself most successfully and most honourably to promote the ends of substantial justice. He thought the country was indebted to him for those exertions, and he knew not how to account for the concern and feeling evinced by those who were parties to an enquiry, which had now produced so satisfactory a result, and so general a conviction of the innocence of the individual immediately affected by it. That conviction was to be attributed in a great measure to the eloquence and zeal of the hon. gentleman who had been so lavishly and unreasonably condemned. The right hon. gentleman who spoke last had talked of the frailty of memory, and appeared to him to have taken an unworthy advantage of the hon. gentleman, as if parliamentary language and the ordinary mode of expression in that House were not more vague and uncertain than testimony given in a court of justice. The hon. baronet said he was of opinion, that those proceedings were altogether anomalous and unconstitutional, and it was not surprising if irregularities took place, and if technical rules were disregarded, which might be very proper under more regular and legal proceedings. Considering the secret manner in which Mrs. Lisle had been examined, he saw nothing extravagant in the claim to be allowed to correct what she might conceive to alter the complexion of the body of her evidence. He would not now make any observation as to the legality of the commission, but hoped a time would come when that question would be discussed. At present he should content himself with returning his warmest thanks to the hon. gentleman for having been the cause of rendering the innocence of the Princess of Wales manifest to the whole world.

Mr. *Ponsonby* denied that he had taken any unworthy advantage of his hon. friend. He had only observed a mistake into which he himself had confessed that he had fallen.

Mr. *Whitbread* said that he did not impute to his right hon. friend the taking any unworthy advantage. He was quite welcome to all the freedom he had used. He, Mr. Whitbread, retained his opinion of the propriety of his own conduct. He had given all the circumstances to the House and the public: and the observations of his right hon. friend, on the defectiveness of his memory, he conceived, were very little applicable to the case of Mrs. Lisle.

HOUSE OF LORDS.

Wednesday, March 24.

Address of Condolence on the Death of the Duchess of Brunswick.] The Earl of *Liverpool* shortly addressed the House, in consequence of the death of this illustrious personage. On such an occasion, he felt it quite unnecessary for him to detain their lordships farther, than to state that the melancholy event of the death of the duchess of Brunswick, sister to his Majesty, having recently taken place, he had to move the House (as was the regular and uniform custom of parliament), to vote an Address of Condolence to his royal highness the Prince Regent on the occasion, expressive of the concern and regret of their lordships, and their participation in those feelings which must generally arise in consequence of any domestic affliction occurring in his Majesty's illustrious family. Such an Address he felt must be unanimously voted by all their lordships. The noble earl then moved formally the Address: it accorded with the spirit and substance of his lordship's preliminary observations; and being read by the Lord Chancellor, was forthwith voted by the House.

HOUSE OF COMMONS.

Wednesday, March 24.

Address of Condolence on the Death of the Duchess of Brunswick.] Lord *Castlereagh* said, he was sure the House would feel that there were occasions when their customary usages ought to be dispensed with; they would feel that on any occasion like that which he was about to bring under their notice, not only would they be justified in not adhering to those parliamentary rules which usually determined the precedence of motions, but it was

desirable that they should give way. When the death of any member of the royal family took place, it was a calamity most important to the House and the country. When, therefore, any branch of that illustrious family, under whose mild and beneficent sway this country had so long been happily governed, and under whom it had reached its present height of greatness and glory. When any one of that family paid the debt of nature, it became the representatives of the people readily to approach the foot of the throne with their condolence. Without pressing further on them the propriety of taking such a step on so melancholy an occasion, he should move an Address of Condolence to his royal highness the Prince Regent. His lordship then moved, "That an humble Address be presented to his royal highness the Prince Regent, to express the deep concern of this House, at the loss which his Royal Highness has sustained by the death of her royal highness the duchess of Brunswick, and to condole with his Royal Highness on this melancholy occasion; and to assure his Royal Highness, that this House will ever participate, with the most affectionate and dutiful attachment, in whatever may concern the feelings and interests of his Royal Highness and his illustrious House."

Sir *F. Burdett* did not rise to oppose the motion of the noble lord; but feeling as he did, that the event to which it referred was one that more deeply affected her royal highness the Princess of Wales than any other member of the royal family, he thought an Address of Condolence ought also to be voted to her Royal Highness.

Mr. *Whitbread* understood the noble lord to say, that there was no instance of the queen or the royal consort having been so addressed on such an occasion. If this statement were correct, it would not be proper, on the contrary it would be improper to vote the Address of the hon. baronet, but if the queen or the royal consort had in any instance been waited on with an Address of Condolence on the death of a member of the royal family, he thought it was now their duty to carry such an Address to the Princess of Wales. He was sure the noble lord would not take it ill of him if he called for the authority of the Chair on this subject.

Lord *Castlereagh* was not aware that such an Address had ever been voted to the queen, but if it could be proved that such a proceeding had taken place, he was still by no means prepared to admit that the situation of the wife of the Prince Regent was the same as that of the queen.

The *Speaker* gave no opinion on the point in question, and the motion was carried *nem. con.*

Petition of Sir John and Lady Douglas.] On the motion of Mr. Cochrane Johnstone, the Petition of sir John and lady Douglas was read.

Mr. *Cochrane Johnstone* then said, in rising to call the attention of the House to the Petition which had just been read, he would, as he laboured under severe indisposition, be as brief as possible. He believed, and he was persuaded that the House would agree with him,—that the Petition of sir John and lady Douglas was nothing more than an impudent attempt to give a colouring of truth in the eyes of the nation to the atrocious falshoods they had sworn. The Petition, however, was before them; but in justice to her royal highness the Princess of Wales, he thought it ought not to be entered on their Journals without giving it some mark of their reprobation. Some might think it was wholly unworthy of their notice, and that by noticing it, they would give it a degree of importance which otherwise would not be attached to it. He thought differently, as he felt they ought not to confine their view of it to the case as it stood at present. [Here the hon. member was for some time unable to proceed from indisposition; he, however, expressed himself anxious not to postpone the motion, and wished to be allowed to read a paper, which he produced.] Proceeding to read the paper, he repeated his reason for thinking the Petition ought not to be passed over without notice; and contended, that if it were so passed over, this circumstance might hereafter be taken as presumptive evidence, that it was not thought wholly unworthy of credit, and thus something of a colour of truth might be given to the calumnies which had been circulated against her royal highness the Princess of Wales. He therefore wished some mark of reprobation to be put upon it, to guard against such an effect. The Petition appeared to him to originate in a wish to persevere in the most detestable falshoods.

Mr. *Rose* spoke to order. He was sorry the hon. gentleman was so much indisposed, but he conceived that ill health was no plea for reading the paper he had produced. It appeared to him, that as much

exertion was required to read that paper as to speak; and it was contrary to the forms of the House to admit of such a practice—as thus reading a paper, a member might offer the sentiments of another as his own.

Mr. *Tierney* said, this form had been dispensed with on former occasions; in one instance he recollected permission to read his own speech or to let another read it for him.

The *Speaker* admitted the forms of the House. He had to reproach himself for not having interfered before. He had forborne to do so on account of the indisposition of the hon. member; it was a rule that no member should address the House but upon his legs. In some cases of indisposition, however, members had been indulged with permission to speak sitting.

Mr. *Whitbread* recollected a case (that of sir John Coxe Hippisley), which was still stronger. He was so ill that he could not attend the House, and on one occasion another member brought down the speech which he had intended to make, read it to the House, and afterwards took a part in the debate.

Mr. *Rose* said, all he contended for was, that if the hon. gentleman was able to read it, he was able to speak it.

[Here a pause of some length ensued. The hon. member was loudly called on to read by many members, which was opposed by cries of "No" from others. The call for him to read predominated.]

Mr. *Cochrane Johnstone* then went on to say, that it was from an anxiety not to put off the motion, that he brought it forward, though labouring under so severe an indisposition. The Petition he considered as a detestable attempt to give credibility to a deliberate charge hatched against the life and honour of the Princess of Wales. He did hope, that the distressing subject would not again have come before that House after his motion on a preceding night. It had turned out otherwise, however, and he would not now have agitated it again but for this audacious endeavour to give a colour of truth to the whole by the Petition then on their table. He thought it impossible to suffer such conduct to pass without censure, and therefore he should move the resolution, declaring it to be the opinion of that House, "That the Petition of sir John Douglas and Charlotte his wife, laid on the table of the House on the 10th of March, is regarded as an audacious attempt to give in the eyes of the public a colour of truth to the falshoods before sworn to by them, in prosecution of their infamous designs against the honour and life of her royal highness the Princess of Wales."

Sir *F. Burdett* seconded the motion.

Mr. *Herbert* of Kerry rose, but could not be heard for some time, from the loud cries of "Question, question!" which burst from all parts of the House. He opposed the motion. He could not consent to express such an opinion on the evidence of the petitioners, on which they might still have to act as judges; against such a Resolution he would raise his voice, and though he might stand alone, take the sense of the House on the subject.

Mr. *Whitbread* contended, that no regular grounds had been laid for the motion, which declared that sir John Douglas had attempted to set up, in the eyes of the public, that evidence as good, which had been proved to be false. They had not that evidence before them, and therefore, whatever his sentiments were on the subject—and the more he reflected on it, the more he was satisfied, that their evidence was false from beginning to end, and a part of a most wicked and atrocious attempt on the honour and life of the Princess of Wales—still, as they had not the documents before them, on which such a resolution should be founded, he could not concur with the motion. He thought it would be better that the House should resolve not to take it into consideration at all; and that the previous question should be moved to get rid of the subject, or the order of the day passed on to, or any other mode adopted, which would enable them to quit the subject without giving an opinion on it; if, however, he must say Aye or No to the question, his vote would be No, for the reasons he had already stated.

The *Solicitor General* said, he was sure that if the motion was not unanimously negatived, it would only have the voice of the hon. gentleman who brought it forward, and of the hon. baronet who had reluctantly seconded it in its support. He had but one sentence to offer on the subject, and that was this—he hoped no previous question would be put upon this most unfair, and if it could possibly pass, most disgraceful proposition, but that it would be met by a direct negative. The motion was of a nature subversive of all justice; and the House of Commons, if it could entertain such a proposition, instead

of a blessing, would be a curse to the country.

Sir *F. Burdett* wished to point out the awkward predicament in which the House was placed. They were obliged to let the Petition lie on their table. The Petitioners asked to re-swear the evidence which they formerly gave. He had no doubt they knew it was impossible for the House to grant the prayer of the petition: and they were thus brought, by a sort of trick, to let it lie on their table. His opinion was, that all petitions ought to be received, or he would have opposed this Petition in the first instance. In justice to the motion before the House, he must say, that, whatever technical objections might be raised against it, every man must subscribe to the truth of the proposition which it embodied.

Mr. *Tierney* wished to say nothing at all on the subject. It was proposed, that they should declare the Petition to be an audacious attempt to give a colour of truth to falsehood. This he could not do; and if he were to give a negative to the motion, it would be to say, it was not so—(No, from the ministerial bench)—Then he did not know what was meant by a negative. He wished the order of the day to be moved to get rid of it, without giving an opinion on the subject? Where could be the harm of doing this? If it could be said, that voting in the negative on it was not asserting that the Petition was not what it was described to be in the motion, he had lost all idea of the meaning of the words Aye and No.

The *Solicitor General* denied, that to negative this motion was to negative the character of the Petition given in the motion. If he had moved an amendment which went to give it another character, then the objection of the right hon. gentleman would be well-founded, as in that case he would have called on the right hon. gentleman to give the Petition a character. If a person asked him to say black was white, and he said he would not say so, did he not, acting thus, give an opinion on the subject. Called upon to say this Petition was scandalous, refusing to say so, was not to assert that it was meritorious.

Mr. *Tierney* maintained, that by negativing the motion, it might hereafter appear to the historian, that as it was proposed to pronounce the Petition to be an audacious attempt to give the colouring of truth to falsehood, and as the motion was negatived, that the House of Commons decided it was not an audacious attempt to give truth the colouring of falsehood.

Mr. *Barham* desired to know what was the use of the previous question, if they were not to avail themselves of it to get rid of a motion like the present? He wished the learned gentleman could be allowed to show to what case the previous question was applicable if it was not applicable to this.

The *Solicitor General* did not wish to criticise the various modes of getting rid of a motion. It was sufficient for him to perceive that there was a strong feeling in the House in favour of one particular course on the present occasion, to induce him in this instance to give way. He had therefore to state that he had no objection to move, "That this House do now adjourn."

This proposition appeared to meet with general approbation, and the motion for an adjournment was immediately put and carried.

HOUSE OF COMMONS.

Thursday, March 25.

Minutes respecting the Helleston Election.] Mr. *Astell* brought up the minutes of evidence taken before the Helleston committee. On moving that the same do lie upon the table, he observed, that he acted only as the organ of the Committee in bringing up these minutes, and in making the special report, which he was directed to do yesterday by a majority of the Committee, to whose decision he bowed, but that for his part he did not think it necessary to have troubled the House on the subject. For although compelled by a sense of duty to consider the agreement existing between certain electors of Helleston and a noble duke (of Leeds) as an improper transaction, he was of opinion the determination of the Committee had sufficiently marked the sense of parliament, and prevented the recurrence of such practice: that it was not his intention to move any proceeding in the House, as he trusted that on perusal of the Minutes, it would appear to gentlemen that the Committee had done all that could be required of them, or that the case demanded.

Mr. *Wynn* wished some member of the Committee to bring forward a motion on the subject, as it appeared that infringements of an act of parliament had taken

place, which called for inquiry. He thought the papers should be printed.

Mr. *Wharton* said, that he was as anxious as the hon. gentleman who spoke last that the minutes should be printed, and be in the hands of members as early as possible, as they would then judge whether their Report had not been made upon a case which called for it less than any which had ever before been brought under the consideration of the House by a Committee. He said he was ready at any time to meet the hon. gentleman, if he should think proper to call the attention of the House to the Report, and hoped to be able to convince the House that it was not necessary for them to take any steps in consequence of it.—It was then ordered to be printed.

STATE OF THE FINANCES OF GREAT BRITAIN.] The House, according to order, having resolved itself into a committee of the whole House, to consider further of the State of the Finances of Great Britain,

Mr. *Huskisson* rose and said:

Mr. Lushington;

Much as we must all have lamented the circumstance which occasioned the frequent postponement of this debate; the delay, I trust, has been attended with this good effect, that it has enabled gentlemen to examine more attentively the principles of the measure which is now under our consideration. In rising to submit to the Committee such observations as have occurred to me on the subject, I can assure you, Sir, that I never offered myself to their notice under feelings of anxiety equal to those which I experience at this moment:—an anxiety arising not from any apprehension that I shall not be heard by the Committee with their usual kindness and indulgence, but from the deep sense which I entertain of the vast importance of the question now before us, compared with my own conscious inability to do any thing like justice even to the view which I feel myself compelled to take of it. Nor is this my only difficulty. There are others arising out of the very nature of the subject itself. A measure, in my opinion, more important in all its bearings, in all its effects and consequences, never was agitated in this House; but at the same time it is one devoid of every thing which can give attraction to debate; one not very familiar perhaps to many gentlemen now present, and requiring therefore, on the part of the person who undertakes to explain its tendency, a degree of clearness and perspicuity which I cannot flatter myself that I shall be able to bring to the discussion. Notwithstanding all these difficulties, and the consequent dread of failing in the task which I have imposed upon myself, I feel still more strongly that it would be a dereliction of duty were I to shrink from the attempt, and not to endeavour to claim for this subject, some share of that public attention which has lately been painfully engrossed by concerns of a very different description—concerns which I trust will never again occupy this House, and of which the agitation out of doors cannot be too much or too soon discouraged by every man who values the best interests of the country, or has a proper feeling for the honour and character of the age in which we live.

Before I enter upon the Resolutions now under discussion, I cannot refuse to myself the satisfaction of acknowledging the uniform courtesy and attention of the Chancellor of the Exchequer, in furnishing me with every facility of information. On my part, I trust my right hon. friend will not think me unwarranted in referring to my past conduct as the best guarantee that I am not actuated by any disposition to throw difficulties in the way of his financial arrangements. I hope therefore, that both with him and the Committee, I shall have credit for sincerity, when, as the result of the most anxious and deliberate consideration which I have been able to give to the present plan, I am compelled to declare my conscientious conviction, that, by adopting it, we should incur the risk of losing the fruits of all the sacrifices which we have made for the last twenty years;—that we should lay ourselves open not to the mere possibility, but, as it appears to me, to the probable and imminent danger (in the event of a long continuance of the war), of undermining, if not destroying altogether, that system of public credit which is the foundation of our present safety and independence, and the best support of that pre-eminent rank which we are now struggling to maintain among the nations of the world.

There is another question of a magnitude not inferior to this, which cannot be put out of sight in the examination of these proposals—a question respecting which the feelings of gentlemen will not

be less alive, nor their understandings less anxious to arrive at a satisfactory result, than even upon a matter so nearly connected with the public safety: I mean, Sir, the maintenance of public faith, on all occasions so essential to the honour of the country, and, in this instance, more especially so to the honour and character of parliament. The highest considerations of public policy and public justice are therefore equally involved in the present discussion. To these I must be allowed to add another consideration, of a more limited nature certainly; but at the same time one which has great weight with me, and will, I trust, have its weight with many other gentlemen in this House. The edifice of the sinking fund, which we are this day called upon to disfigure and half pull down, is perhaps the proudest monument which was raised by the virtues and genius of Mr. Pitt to his own fair fame. So it was held in his own estimation; so it is held in the estimation of his friends, and not only of his friends, but of those who were his political enemies, and of the whole world. Upon his friends then I call, from the reverence and affection which they feel for his memory; upon those who were his enemies I call, from their love of justice and of their country, to lend their aid to my feeble efforts for preserving this monument of public utility and individual fame, unmutilated and entire, in all the beauty of design, in all the strength and symmetry of proportion, assigned to it by the hands of its immortal author.

The name of Mr. Pitt naturally brings me to the origin of this great measure of a permanent sinking fund, and to a short review of its progress and completion under his auspices, as preparatory to the examination of those proposals of my right hon. friend the Chancellor of the Exchequer, which I cannot but consider as an invasion of it.

When Mr. Pitt was called to the head of affairs, and to the management of our finances, at the close of the American war, credit was at its lowest ebb, our revenue deplorably deficient, and our resources for improving it apparently exhausted. Yet such at that time were the real resources of the country, when properly called forth, and wisely administered, that in the year 1786, Mr. Pitt was enabled, after making provision for the interest of the public debt, and for all the expences of a peace establishment, to set aside and appropriate a surplus of income, amounting to one million annually, as the foundation of a sinking fund for the redemption of the then existing debt of 238 millions. By the act of parliament which was passed for this purpose (26 Geo. 3, cap. 31), it was provided, that this sum of one million should be laid out, either in the redemption of stock, if at par, or, if under par, in the purchase of it in the open market at the current price of the day;—that the interest arising from all stock so redeemed should be added to the principal, and be laid out in the same manner, until, by their joint accumulation at compound interest, they should amount to the annual sum of four millions;—that, when this sinking fund had reached that amount, it should continue from thenceforth to be laid out at simple interest only, leaving the amount of interest annually redeemed at the disposal of parliament. Such is the outline of the original plan devised by Mr. Pitt for the reduction of the national debt, which, up to the year 1786, had been allowed to accumulate without any permanent provision being made for its gradual and ultimate liquidation. But he did not stop here. He wished, in the event of any future war, to guard the country against the evils arising from too rapid an accumulation of debt, and consequent depression of public credit; and to place us beyond the reach of that helplessness, despondency, and alarm, which had brought the finances of the country to the brink of ruin in the American war. Mr. Pitt felt at that time, that the greatest difficulty which he had to contend with, in framing any permanent system of a sinking fund, was to find the means of protecting it from the danger of future alienation, before it should have accomplished the purpose for which it was formed. The plan which he submitted to parliament in 1792 was framed with the specific view of guarding against this danger, and of holding out to the public a guarantee, that any future debts which the state might have occasion to contract, should, from the moment of their being incurred, be placed in a course of liquidation, uniform and unalterable. This plan contained within itself a principle of permanency, which, being applied to every loan at the time of making the contract, could not, from that moment, be varied or departed from, without a breach of such contract. Under this plan, not only the sinking fund which it provides, but the

application and accumulation of that sinking fund, are so interwoven and bound up with the contract for the loan, as to remain a condition between the borrower and the lender, until every obligation of that contract shall be cancelled by the extinction of the loan itself. That such was Mr. Pitt's understanding of the plan which he proposed to parliament in 1792, is, I think, placed beyond all doubt (if, indeed, there could exist a doubt on the subject) by what passed in this House on that occasion. It was made an objection to the measure (and I entreat gentlemen to recollect this circumstance when we come to the discussion of the present proposals) that it would place the reimbursement of all future loans beyond the discretion and control of parliament,—an objection which was answered by Mr. Pitt in such a manner as to show that, in his judgment, this very objection was the principal merit and recommendation of his plan. Another advantage of the plan is, that by the mode in which it is carried into effect, the power of the sinking fund is always necessarily increased, directly in proportion as public credit is depressed at the time of making the loan to which such sinking fund is annexed.

These were the principles laid down by Mr. Pitt in 1792, as the foundation of a sinking fund applicable to the liquidation of any new debt. The mode provided by him for carrying these principles into effect is so simple, that, for the explanation of it, little more can be necessary than to refer to that portion of the Act (32 Geo. 3, cap. 55) which provides for this measure. Indeed, Sir, the words of the enactment which particularly relate to this purpose, are so essential to a fair discussion of the proposals now before us, that I must request that the third section of this Act may be read. [The section in question was here read by the Clerk.*]

The enactment, therefore, applicable to every loan that should be raised after 1792, is simply this; that either some specific provision should be made at the time of such loan being raised, for paying it off within a period which might extend to, but should not exceed, forty-five years; or, in default of such provision, that a sinking fund, equal to one per cent. not on the amount of the money borrowed, but of the capital stock created, should "from thenceforth" issue from the Exchequer, and be applied at compound interest to the liquidation of such loan. It is therefore obvious, that, at the time of making a loan, the government is at liberty to adopt either of these modes for its gradual redemption. It may declare to the parties with whom it may be dealing, first, that it will provide for paying off in each year one forty-fifth of the capital to be borrowed;—or, 2dly, that it will raise the loan by granting an annuity terminable in forty-five years;—or, 3dly, that, instead of making provision, in one or other of these modes, for paying off any portion of such loan immediately, a sinking fund shall be assigned, to begin to operate at some future period, and of such an amount, as to ensure the extinction of the loan between the date of the commencement of such sinking fund, and the end of the prescribed term of forty-five years. But if no specific provision is made for the redemption of the loan, at the time of con-

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* "And, for more effectually preventing the inconvenient and dangerous accumulation of debt hereafter, in consequence of any future loans, be it further enacted by the authority aforesaid, that whenever any sums of money shall hereafter be raised by loans for public purposes, a separate account shall be kept, at the receipt of his Majesty's exchequer, of the annuities or annual interest to be incurred in respect of the same; and in case the said loan shall be raised for any other purpose than that of paying off some existing capital stock, bearing a higher rate of interest than the capital stock to be created by such loan, and shall be raised by perpetual redeemable annuities, and provision shall not have been made by parliament for paying off, within forty-five years, the whole of the capital stock to be created by such loan, from thenceforth, at the end of every quarter subsequent to the day on which the act or acts of parliament, by which such loans shall be created, shall have received the royal assent, an additional sum shall be set apart out of the monies composing the consolidated fund, and shall be issued at the said receipt of the Exchequer to the governor and company of the bank of England, to be by them placed to the account of the commissioners for the reduction of the national debt; the total annual amount of which additional sum shall be equal to one hundredth part of the capital stock created by such loans."

tracting for it, then, and thenceforth, the other alternative of a one per cent. sinking fund takes effect quite as a matter of course.

The principle upon which the period of forty-five years was fixed upon as the extreme term beyond which the liquidation of any future debt should in no case be protracted, may, I think, be collected from this circumstance; that a sinking fund of one per cent. operating at compound interest, and supposing the rate of that interest to be invariably three per cent. will redeem a capital equal to one hundred times its amount, in little more than forty-five years. It may here be necessary to remind the Committee, that we are not at liberty to compel the public creditor to accept the repayment of his stock at any price below par:—at par every portion of the public debt is redeemable; but below that price, the state, like any other purchaser, may go into the market, and buy at the price of the day. Now, the great bulk of our debt, as every body knows, consists of a three per cent. stock; and we have none which has been funded at a lower rate. Consequently, the lowest rate of compound interest, at which the sinking fund can improve, is three per cent. It is the rate at which it would improve, if the three per cent. stock was uniformly paid off at par. In proportion as the stock, instead of being paid off, is purchased below par, is that rate of improvement of the sinking fund increased. But, forasmuch as a one per cent. sinking fund, constantly operating at three per cent. would redeem the capital of any loan in a period of about forty-five years, it follows, from there being no stock below that rate of interest, that forty-five years is the ultimate term to which the liquidation of any debt, having a sinking fund of one per cent. can, by possibility, be postponed. It is the maximum of time which the redemption would require, on the supposition of the sinking fund being uniformly restrained, by the most flourishing state of public credit, to the minimum of velocity at which it can proceed. Now it is a fact, not immaterial to the present discussion, that for the last fifty years, the three per cents have never once been at par; that, within that period, they have been below fifty, and that for the last twenty years (that is, since this law of 1792 began to take effect), their average price has not exceeded sixty-seven.

Let us, then, see what has been, and is, the practical application of this law of 1792 to the loans which, since that year, have been raised for the public service. When a loan is wanted, the Chancellor of the Exchequer, acting on behalf of the public, signifies to the parties disposed to lend their money, the particular stocks in which he means to fund the loan. If, at the same time, or at any time before the contract, he has it in contemplation to make any provision for the redemption of such loan, other than a one per cent. sinking fund, he would of course apprize the parties of the nature of that provision; but if he should remain silent on this point, the law declares to them, without any confirmation from him (and, in point of fact, I believe I may add, that on no occasion have they ever demanded or received any such confirmation), that a sinking fund of one per cent. will issue of course, and will be employed at compound interest, for the gradual redemption of the new stock about to be created. Knowing this, the lenders are well aware that the efficacy of this sinking fund will be in proportion to the depression of the stock which they are to receive in return for their money;—if a three per cent. stock, for instance, be what they are to receive, and the price at which it is taken be 50; the sinking fund will be equal to two per cent. on the money capital borrowed; and the rate, in point of time, at which the redemption will then proceed, will be that of about twenty-three, instead of forty-five years. Thus, in proportion to the depression existing at the time, does this sinking fund operate at once as an improved check to prevent a further fall, and as a powerful lever to produce, at no distant period, a probable rise in the market. What is the consequence? Why, that the lenders are enabled and induced, or, if you will, by the competition which exists among them, compelled, to give better terms to the public. These better terms are the advantage which, in every past loan, the country has derived from a one per cent. sinking fund; but it is, as I conceive, an advantage obtained by incurring an obligation, from which we are not now at liberty to depart. The advantage and the obligation are reciprocal; they both commence with the commencement of the contract, and from that moment we are not at liberty to keep the one and to disregard the other.

If I have had the good fortune to make

myself understood in the principles which I have now stated, I should hope that gentlemen would be able to follow me in the application of them to the existing state of our sinking fund, and to the plan now under consideration.

The loans made since the year 1792, with some exceptions, which I shall have occasion to explain presently, have been made with a sinking fund of one per cent. If gentlemen recollect what has been the general price of the stocks since the breaking out of the war, they will, I am sure, think that government acted very wisely in preferring this mode of redemption to the less efficacious modes which were open to them under the other alternative of the Act.

The foundation of the new system now proposed to us is this:— my right hon. friend, the Chancellor of the Exchequer, construes the Act of 1792, as leaving parliament at liberty to regulate and modify, according to its discretion, in any manner, and at any time, the redemption of the whole debt contracted under the terms of that Act, provided the final liquidation of each of those separate loans, which together constitute the aggregate of that debt, is not protracted beyond the full period of forty-five years.

The question of public faith which arises upon this construction is :—whether, having made our option, at the time of the contract for each loan, in favour of a one per cent. sinking fund, and having received the benefit accruing from that option, the issue of that one per cent. from the Exchequer, and its progressive accumulation, and uninterrupted application, be not thenceforth conditions of the contract itself, from which we are not at liberty to deviate, so long as any part of that loan shall continue unredeemed ?

Now, that there is nothing in the clause which has been read to authorize any option subsequent to the time of making the contract, is quite clear. The enactment is imperative, the words of it are peremptory, and admit but of one construction : " If provision shall not have been made by parliament for paying off within forty-five years the whole of the capital stock to be created by such loan." These words cannot be understood as having reference to any but a provision antecedent to, or, at the utmost, actually concurrent with, the formation of the contract. Well, Sir, the clause proceeds thus : " from thenceforth, at the end of every quarter, subsequent to the day on which the act of parliament by which such loan shall be created, shall have received the royal assent, an additional sum shall be set apart out of the monies composing the consolidated fund, and shall be issued at the said receipt of the Exchequer, to the governor and company of the bank of England, to be by them placed to the account of the commissioners for the reduction of the national debt ; the total annual amount of which additional sum shall be equal to one hundredth part of the capital stock created by such loans." Here the enactment ends. If it had been the intention of the legislature to reserve to itself a subsequent power of reverting to the first alternative of forty-five years, should we not have found at the end of this clause some words declaratory of this intention ? —Some " until," or other such word, to qualify that peremptory " thenceforth" which governs this part of the enactment? It is just as clear, then, from the whole of this clause, both from what it says, and from what it omits to say, that we have no subsequent option, as it is clear that we have such an option at the time of making the contract. By the fifth section of the same Act, it is directed that " the sinking fund of each separate loan shall be set apart, and issued at the receipt of the Exchequer at the end of each quarter in the order in which such loans shall have respectively taken place." And the eighth section provides, that all such sinking funds shall be applied to the redemption of debt ; that all stock redeemed shall be transferred to the account of the same commissioners for the reduction of the national debt, to whom the one per cents are issued, and be placed to their account; and lastly, that the separate sinking fund of each new loan, and also the dividends payable on any stock redeemed or purchased in each quarter, shall be placed to a separate account in the name of the said commissioners, to be kept in consequence of every such loan respectively.

This Act, therefore, positively enjoins three things to be done with respect to every loan that has been raised with a one per cent. sinking fund : first, the regular quarterly issue of that one per cent. from the Exchequer, to be laid out quarterly in the redemption or purchase of stock ; secondly, that all stock so redeemed or purchased shall be transferred to the commissioners for the reduction of the national debt, and the dividends of such stock car-

ried to the same account as the one per cent. issued quarterly from the Exchequer; and, thirdly, that a distinct account shall be kept of the progress made by each separate one per cent. and the dividends arising from it, in the redemption of the specific loan for the liquidation of which that one per cent was assigned.

The Act does not in terms prescribe any period when the issue of the one per cent. on each separate loan, and its accumulation at compound interest, shall cease and determine; but, as by this Act each loan is a separate debt with its own distinct sinking fund; and as that sinking fund can have no other application than the liquidation of the particular loan in respect of which it was originally issued; there can be no doubt that, according to the intent and meaning of the Act, the whole charge of such loan, as well for interest as for sinking fund, is set free, and reverts to the consolidated fund as soon as that liquidation is completed. This construction of the law will not be disputed by any one.

Let us now examine whether the present plan of my right hon. friend is consistent with the three conditions prescribed by this Act. With the quarterly issue from the Exchequer of the several one per cents in respect of each loan, the plan does not interfere. But does it not break in upon the concurrent application of these several one per cents to the reduction of their respective loans, as well as upon the transfer of the stock purchased by each of these separate sinking funds, and the application of the dividends arising from that stock? That it does, and to what degree it does so, must be obvious to every one, from the simple statement that my right hon. friend's practical measure, for withdrawing in the next four years, between seven and eight millions from the aggregate sinking fund, rests altogether upon the assumption, that no one of the several sinking funds which have been issued in respect of the different loans made since 1793 (that is, in respect of the whole debt of the present war, to which alone they are applicable), has yet begun to operate: that the loan of 1793, for instance, and so on of every subsequent year, remains as yet unassailed by its specific sinking fund. My right hon. friend having thus, very conveniently for his purpose, assumed that the whole of the public debt contracted since 1792 has hitherto had no sinking fund at all applied to it; he, with equal ease, assumes, in the next place, that the whole of the debt prior to 1792 is actually paid off. Now this debt amounted to 238 millions; and for its separate liquidation, Mr. Pitt established the original sinking fund of one million in 1786. That million (which, for the sake of distinguishing it from the one per cent. sinking funds, I shall call the old sinking fund) with some other aid afforded to it, having continued to accumulate at compound interest ever since 1786, has actually reduced about 97 out of the 238 millions, which formed the old debt. Of the new debt about 116 millions have been paid off by the several one per cents issued from the Exchequer for that purpose. This is the abstract of the account as it actually stands in the books of the commissioners for the reduction of the national debt. But, in the face of this account, we are now called upon to resolve, that the whole of the old, and not one shilling of the new debt, has been redeemed. How my right hon. friend can reconcile such a resolution with the Act of 1792, I am utterly at a loss to conjecture.

But, leaving this task to his ingenuity, I must observe to the committee, first, that the very foundation of his assumption that the old debt has been paid off, is laid in the circumstance of our having incurred a new debt of a much larger amount; and secondly, that, even allowing him that assumption, he would not have been able to erect his present scheme upon it, if the credit of the country had not been for the last twenty years materially impaired by the pressure of that new debt. On the one hand, had the sinking fund been operating at three per cent. during that period, he could not have touched it, even under his own construction of the Act of 1792: on the other hand, had the price of the stocks been still lower than it has been, he would have taken from that sinking fund still more largely than he is now, according to his own rule, enabled to take. This then is the new doctrine of the sinking fund;—that having been originally established "to prevent the inconvenient and dangerous accumulation of debt hereafter" (to borrow the very words of the Act), and for the support and improvement of public credit; it is in the accumulation of new debt that my right hon. friend finds at once the means and the pretence for invading that sinking fund: and the degree of the depression of

public credit, is with him the measure of the extent to which that invasion may be carried. And this is the system of which it is gravely predicated, that it is no departure from the letter, and no violation of the spirit of the Act of 1792; and of which we are desired seriously to believe, that it is only the following up and improving upon the original measure of Mr. Pitt!—of which measure the clear and governing intention was, that every future loan should, from the moment of its creation, carry with it the seeds of its destruction; and that the course of its reimbursement should, from that moment, be placed beyond the discretion and the controul of parliament.

It appears to me to be so impossible that any man should entertain a serious opinion that the measure of my right hon. friend can be carried into effect without a departure from the Act of 1792, and a consequent violation of the contracts made under that Act, that I could really wish, before we proceed one step in this business, that the intended arrangement of my right hon. friend should be submitted as a case for legal opinion with a reference to that Act. This, I think, is the least that we can do in fairness to the whole body of the public creditors of the state; who, be it remembered, when they are at issue with you upon the extent of the obligations which their contract has imposed upon you, have no appeal but from your power to your justice. Let us show them, if we can, by the authority of the great luminaries of the law, that we have right on our side, when we are about to interfere with the accumulation, and to interrupt the application of the one per cent. sinking funds issued under the Act of 1792. I should wish to ask those who are best qualified to expound this statute, and I now ask my right hon. friend;—If, under this statute, we can carry our interferference to the extent proposed, what is there to prevent our going a step further, and meddling with the issue of the one per cent. itself? The issue, the application, the accumulation, are all governed by the same enactments, without any proviso or exception, to enable us to vary or modify the one more than the other. I should also wish that my right hon. friend would tell me how soon, after contracting for a loan with a one per cent. sinking fund, he conceives this right of interference on the part of the public to commence? Does it begin with the first quarterly issue, or with the tenth or twentieth? If not with the first, why not as well with the first as with any subsequent one? And, if with the first, does my right hon. friend conceive, that, after bargaining for a loan (that of last year for instance) he would be at liberty, without the consent of the contractors, to direct the dividends arising from the first quarterly issue of the one per cent. sinking fund annexed to that loan, not to be applied in aid of the second quarterly issue, in the purchase of stock? If this would be a breach of faith towards the original contractor, in the first year of the loan, how would it be consistent with faith towards the alienee of that contractor, in any subsequent year of the same loan? And how is my right hon. friend to distinguish between the stockholders, who are the original contractors, and those who have since purchased from them?

In a case of this nature it is not immaterial to inquire what has been the general understanding upon the subject. I will not detain the Committee with what has been said and written out of doors, though I could accumulate from that source many great authorities; but I will refer them at once to one originating among ourselves, sanctioned by the Report of a Committee of this House, never referred to, but with the just praise which is due to accurate research, sound decision, and correct discrimination; a Report, for which we are more immediately indebted to the most distinguished authority in this House;* now, in virtue of his high office, himself one of the commissioners for the reduction of the national debt. Sir, the first Report of the Committee of Finance of the year 1797 relates to the public debt and the sinking fund; and it concludes with these remarkable words: "the old sinking fund, after reaching the sum of four millions, is no longer made applicable by law to the discharge at compound interest of what may then remain of the old debt; but the operation of the new sinking fund is to continue at compound interest till the new debt shall be totally discharged." It is impossible to mistake the object or meaning of this sentence. By marking the difference between the old sinking fund and the new, between the law of 1786 and that of 1792, it most forcibly delineates the true character of the latter.

* The present Speaker, who was chairman of the Committee of Finance in 1797.

Respecting the most distinguished committee that made this Report, it is only necessary to ask, with your present Speaker for its chairman, if it is too much to assume that the public had a right to look to this Report for the true construction of the Act of 1792, and to rest upon it, as a guarantee that that construction would be faithfully adhered to and observed?

But my right hon. friend mainly rests his present construction of this Act upon what he infers must have been the opinion of Mr. Pitt; and this inference he draws partly from certain financial arrangements which Mr. Pitt brought forward between the years 1798, and 1800, and partly from his concurrence in the arrangement of Mr. Addington (now lord Sidmouth), in the year 1802.

If my right hon. friend had been able to call to his aid the clear and positive authority of Mr. Pitt, much as I venerate that authority, I could not, in such a case as this, allow it to confound the plain and obvious meaning of a contract founded upon the letter of an act of parliament. But the facts to which my right hon. friend refers, seem to me in no degree to warrant the conclusion which he attempts to draw from them.

What are those facts? Why, that, in 1798, 1799, and 1800, Mr. Pitt raised a part of the loan wanted for the service of those years without a one per cent. sinking fund; and that he concurred in a similar course adopted by Mr. Addington in 1802. The first question that arises upon the statement of this fact is this: did Mr. Pitt and Mr. Addington, at the time of making those loans, propose no other provision for their redemption within forty-five years? Because, if they did propose any other, it is obvious that they only availed themselves of that alternative which was left to them by the law. Now, in the first place, what did Mr. Pitt do? In 1798, for the first time, he had recourse to a plan for raising a large portion of the supplies within the year. His avowed object in this bold measure, was to prevent the too rapid accumulation of debt, and to restore public credit, at that time very much depressed. As an essential part of his plan, he therefore laid down the principle, that, in whatever amount the sum borrowed within the year should exceed the sum redeemed by the ordinary sinking fund, provision should be made for paying off such an excess within a very few years, by some more powerful means than a one per cent. sinking fund. For executing this purpose, he charged the interest of so much of the loan of the year (considering that portion of it as a temporary or war-loan only) as exceeded the amount of the whole sinking fund, upon the total produce of the war-taxes; and instead of an immediate one per cent. sinking fund, he assigned the whole amount of those taxes, except what was requisite for the payment of the interest of the war-loan, to the exclusive purpose of entirely liquidating that loan; such liquidation to commence with the close of the war; and the war-taxes to be continued until it was completed. Now in what terms does my right hon. friend allude to this measure in his printed statement?* He says, that it was "to repay, within a few years after the conclusion of peace, all debt contracted beyond the amount of the sinking fund in each year." Then if "these few years" were likely to fall within forty-five years from 1798, Mr. Pitt was completely warranted, by the letter of the law, in substituting this reversionary sinking fund for an immediate one per cent. The intention with which Mr. Pitt acted is obvious, that of greatly adding to, instead of impairing, the strength of the sinking fund. But then, said my right hon. friend in his opening speech, "the war might have continued forty-five years; and in that case these war-taxes could not have been applied to the purpose of redeeming debt." What inference he wishes us to draw from this rather strained supposition, I am at a loss to understand; but before he can avail himself of it, as bearing in any way upon Mr. Pitt's authority, he must begin by shewing not only that when the plan of 1798 was brought forward by Mr. Pitt, he contemplated the possibility of the war being protracted to forty-five years from that time; but also, that having such contingency in his contemplation, he had further made up his mind, in the event of its being realized, not to provide any other sinking fund for the redemption of these war-loans. This is a task which I think my right hon. friend will scarcely attempt.

We now come to Mr. Addington's measure. In 1802 (being somewhat less than forty-five years from 1798) peace had been made. It was then thought expedient at once to repeal the income-tax,

* See vol. 24, Appendix, p. ii.

instead of continuing it until the liquidation of the war-loans had been effected. It is not material now to consider whether this measure was very politic, or altogether consistent with the pledge given to the public creditor for the redemption of the war-loans by the continuance of the income-tax. But what is much to the present purpose, is to ascertain, whether, when these war-loans, by the repeal of this tax, were thrown back upon the ordinary provision of the Act of 1792, a sinking fund consistent with that Act was or was not provided? These war-loans, together with the loan raised for the service of the year 1802, amounted to a capital of near 90 millions of stock. To this capital no one per cent. was allotted; but was not recourse had to the other alternative of the act? Most certainly it was. Without going into minute details, it may be sufficient to state that a reversionary sinking fund was created to commence indeed in about twelve to fifteen years from that time, but to be of such efficacy when it should commence, and to be so greatly accelerated by subsequent additions in its progress, as, under the most unfavourable supposition, to be certain of reducing the whole of this debt within forty-five years. This reversionary sinking fund was to arise in the following manner:—by continuing the old sinking fund at compound interest after it should have reached its maximum of four millions; and by continuing also the new sinking fund or aggregate of the one per cents of the loans since 1792, after such one per cents should have liquidated the several loans in respect of which they were originally issued. Elaborate Tables were laid before the House, clearly shewing that these funds would be fully adequate to the object. There is nothing, therefore, in the Act of 1802 which is a departure from the spirit of the Act of 1792.

The Act of 1802, it is true, has prescribed a mode of executing its intended purpose very inconvenient in other respects; but in principle, it affords neither justification nor precedent for the measure now in contemplation. It is in substance no more a departure from the spirit of the Act of 1792, than the sinking fund of five per cent. annexed to the loan of 1807, or any other specific mode of redemption different from a one per cent. The one per cent. is the general rule; the other is the exception, but it is an exception to which we have a right to resort, at the time of making a new loan, as often as we think it is for the general interest so to do.

Having now examined the inferences upon which Mr. Pitt's authority in favour of the plan is assumed, I might safely leave them to the judgment of the Committee and of the public; but I must go one step further. A sense of the duty which I owe as well to the public, as to Mr. Pitt's memory, induces me to state the fact which I am now about to mention; and for the accuracy of which I am ready, if necessary, to pledge my honour and every thing most dear to me in the world.

In 1802, when men's minds were turned to these subjects by the plan then before the House, a person of great skill in calculation, and of great ingenuity in subjects of political economy, put into my hands some observations which he had committed to writing on the subject of consolidating the old and new debts, and the old and new sinking funds. The conclusion to which he came was this, that we ought, at stated intervals (I think of seven years), to measure the proportion of the whole sinking fund to the whole debt; and that, whatever might be the excess of the sinking fund over and above what would be requisite for extinguishing the unredeemed debt in forty-five years, such excess might be placed at the disposal of parliament. I own that I was struck with the plausibility of this scheme, at least as applicable to a state of peace; and having obtained the author's permission, if not at his request (I now forget which) I communicated his scheme to Mr. Pitt. Mr. Pitt rejected it at once with the most pointed reprobation of its principle; and I perfectly recollect, that when I rather stood up for the measure as a peace arrangement, he said, that whenever the time should come that the diminution of the rate of interest was felt to be an evil, he had other ideas as to the best mode of obviating that evil, by converting it to a great public advantage; and that, in a state of war, the plan would be ruinous and inadmissible. I well remember some still harsher terms which Mr. Pitt applied to this suggestion, but I will not repeat them, because it is in principle and in effect the same measure as that of my right hon. friend. But if they are the same in principle, the circumstances of the present time and of 1802,

are widely different. In 1802 we were in a state of peace; credit was high, the accumulation of unredeemed debt was much smaller than at present, without any expectation at that moment that it would be necessary soon to add to that accumulation. In 1813, we are engaged in a most extensive war, our credit very much impaired, our unredeemed debt increased, and now annually increasing in a most alarming degree.

Here then is the direct testimony of Mr. Pitt, in opposition to vague inferences; and I have no manner of doubt that, if his voice could now be heard amongst us, my right hon. friend's plan would not endure for a single hour.

That plan, in its principle, may truly be described as an expedient for pushing the debt in time of war to the maximum of its amount, by reducing the sinking fund to the minimum of its power.

It is an error which must sooner or later prove fatal to our credit, that we are doing enough, if we reserve such a sinking fund as would redeem our debt in forty-five years, without reference to the total amount of that debt. The proportion of the sinking fund to the unredeemed debt is but a secondary consideration: the actual amount of that debt ought to be the first object of our solicitude. It is undeniable in theory, that a debt of 1,000 millions would as certainly be liquidated in forty-five years by a sinking fund of ten millions, as that a debt of 100 millions would be liquidated by a sinking fund of one million. But in practice a debt of 100 millions might be safe, and possibly salutary to the state, even without any sinking fund at all; whilst 1,000 millions of unredeemed debt, all liable to be brought into the market, might, under many conceivable circumstances, entirely break down that credit, which the smaller sum would in no degree impair. Comparisons of this nature, in proportion as they are true in arithmetic, are dangerous in the concerns of nations. Whilst they gratify ingenuity in the closet, they may undermine our resources upon the Stock Exchange.

I shall probably be reminded, that, whatever there may be in common between the plan rejected by Mr. Pitt in 1802, and the measure now before us, the latter comes recommended by many peculiar advantages, which more than counterbalance the objections to which it may be liable. Any proposal which postpones the necessity of adding to our burdens, however pregnant with difficulty and danger that proposal may be in its probable and not distant consequences, cannot fail, especially if those consequences are kept out of sight, to be favourably received by this House and the public. The plan of my right hon. friend possesses, undoubtedly, that claim to favour. If he had called for your support upon that claim only, the discussion would have been much simplified. But, in my right hon. friend's statement, this benefit, which I have no wish to undervalue, is obscured and lost amidst the blaze of more brilliant advantages and dazzling prospects, which have been opened to us on this occasion.

From the very sincere respect which I feel for my right hon. friend, it really gives me pain to be obliged to refer at all to these other advantages of his plan. For I cannot help saying, and he will excuse me for taking this liberty with them, that they appear to me calculated to confuse and perplex, without at all meliorating his system.

These other advantages of the plan amount to four: first, that it provides for a gradual and equable reduction of the national debt: secondly, that it provides against the evils likely to arise from too rapid a diminution of the rate of interest: thirdly, that it provides an immediate subsidy of 120 millions, for carrying on the present war: and fourthly, that it provides for the accumulation of a treasure of 100 millions, in time of peace, as a reserve for any future war.

With respect to the first of these advantages, I know not in what terms to express my astonishment. "A gradual and equable reduction of the national debt!" as if that reduction was at this moment too rapid—as if there was any thing arbitrary and capricious in the present mode of applying the sinking fund! Again, as if we had already done too much in the way of reduction of a debt, which, when the new sinking fund began, was little more than 200 millions, and which now exceeds 600 millions unredeemed,—as if it were necessary, in order to make that reduction more equable, to diminish the amount of the sinking fund of the year, in proportion as the amount of the loan is increased,—as if it were particularly wise and pressing to begin to check the growth of the sinking fund in the present year, when the loan to be raised, joined to what remains unredeemed of that of last year,

will make a greater addition to the debt, than all that was added to it in the six preceding years of the war!

That my right hon. friend should have spent his valuable time in providing, at this moment, for the second of these advantages, is to me still more surprising. "The evils likely to arise from too rapid a diminution of the rate of interest,"—when, with all the aid which credit has derived from the present rapidly growing sinking fund,—with all the improvements, wonderful and extensive beyond the hopes of the most sanguine, in our political situation,—with all the temptation which a nominal capital holds out to the lender in the three per cents,—my right hon. friend is not able, even in that favourite fund, to raise a single 100*l.* within the legal rate of interest! With these circumstances before him,—with a loan to be negotiated for the service of the year, which cannot be much short of forty millions, what is the step taken by my right hon. friend with a view to an immediate practical effect? Why, a successive diminution of the sinking fund, infinitely more rapid than its growth has ever been, to be accompanied with a series of loans much larger than were ever before raised in this country. What is the disease which now affects our public credit? When my right hon. friend was first called in, he did not hesitate to declare, that his patient was "labouring" (to use his own expression) under great weakness and depression; but, by way of comfort, he assured us that at his next call he should be prepared with some very invigorating remedy. This is his second visit, for which we have been looking forward with so much hope. The symptoms of the disease continue nearly the same, or rather worse; but what says the physician? He tells you, that, in turning the case in his mind, it has occurred to him, that his patient, if he should not sink under his present exhausting complaint, may possibly be liable at some distant period of his life (as nearly as he can now prognosticate, about the year 1830), to the inconvenience of repletion. Therefore, as an apt remedy for this distant disorder, he prescribes, instead of the promised restorative, a copious bleeding forthwith; and that it should be followed, in rapid succession, by three other bleedings still more severe. If the patient should undergo this discipline, the natural consequences must follow; and I agree with my right hon. friend, that the numerous friends of that patient, the whole body of the public creditors, should (as the phrase is) be prepared for the event. By the time of the fourth bleeding, should the present complaint continue, the most sanguine among them will, I think, have little doubt as to the result; and their mourning on the melancholy occasion will, I am satisfied, be not only very general, but very sincere.

But this is a distant danger, which good fortune may, after all, avert; and, in the mean time, my right hon. friend's plan gives us an immediate subsidy of 120 millions for carrying on the war. When this subsidy was first mentioned, I really imagined that my right hon. friend had at last found that philosopher's stone, which Van Helmont, and so many other ingenious men of former times, had spent their lives in vain endeavours to find: or, at least, as was often the case with them, that, in searching for it, he had accidentally stumbled upon some other very useful discovery;—that he had found a treasure to this amount in some dark recess or secret drawer of the Exchequer, where it had been hoarded and forgotten by one of his predecessors. But when I came to understand what the finding actually was, my hopes were sadly disappointed. All that my right hon. friend has really found out is, that, by contracting a debt of between eight and nine hundred millions, we have paid off one of 220 millions. Does my right hon. friend think that, upon the fair adjustment of such an account as this, there is any balance in our favour? It is in this balance, however, that my right hon. friend finds an immediate available subsidy of 120 millions.

But if this promised treasure is only a golden dream, as to the present, to what bright prospects do we not awake for the future! One hundred millions of public property to be accumulated on the restoration of peace! This, says my right hon. friend, is "the principal advantage of my plan."—This, at least, will be a real treasure; and such a treasure, he well adds, "as no other country ever possessed." The whole secret of this great discovery consists in nothing more than this; that, having contracted in the present war a debt, which already exceeds 600 millions, my right hon. friend purposes, if sufficient time is allowed him, to pay off 100 millions of that debt, between

the restoration of peace, and the renewal of war. I perfectly agree with my right hon. friend, that this advantage, admirable as it must appear for its simplicity when once it is explained, is one that no other country ever possessed; chiefly, indeed, because no other country ever possessed the preliminary qualification of being sufficiently in debt to enable it to enjoy this advantage. Really, Sir, if any other person than my right hon. friend had stated this as the principal advantage of his plan (an advantage, by the bye, not only not exclusively belonging to this plan, but unavoidable under any plan of a sinking fund in time of peace) I should have thought that he was trifling with our understandings; that he was treating us as persons incapable of distinguishing between the paying off of a small portion of existing incumbrances, and the actual amassing of wealth;—that he was exhibiting to us the amount of the national debt, as so much wealth accumulated, and not what it really is, the record of so much wealth consumed.

The remaining advantage of the plan, then, is the irresistible bait (for such I apprehend it will prove) of the postponement of fresh taxes for the next three years. I am not afraid that any man in this House, or, I hope, out of it, will do me the injustice to suppose that I am more insensible than another to the pressure of existing burdens upon the people of this country. But I should indeed be departing from the wise example of former parliaments, and of the great men of other, and (at least in that respect) better times; I should be losing sight of every sound principle of state policy, and of every established maxim of practical finance, if I were on this occasion to surrender my judgment to my feelings, and to shrink from the duty of a dispassionate inquiry, from the dread of its leading me, contrary to my wishes, to a painful conclusion.

In the existence even of an individual, four years is not a long period: in the existence of a nation it is next to nothing. On occasions like the present, much eloquent declamation is employed, to show how little our predecessors have done for us, and how much we have done for posterity. We advert to the neglect of those who have gone before us, in providing for our comfort; and we complacently contrast that neglect, with the anxious care that we have manifested for the ease of those who are to follow us. This, I apprehend, has been the language of all times, and I am unwilling to disturb a feeling of so much self-satisfaction. I must own, however, that in the unbroken chain of a nation's existence, I know not how to put my hand on the exact link at which posterity commences. But this I know, that the parliament which succeeded to the debt of the American war, represented themselves as the aggrieved posterity of those who had carried on that war. That parliament was left with an unredeemed debt of near 240 millions, and an annual charge for the interest of that debt of between seven and eight millions. The parliament which may follow the present one, if peace should be then restored, will, I suppose, by a parity of feeling, be the posterity of those who have carried on the present war. That posterity will succeed, if the war should continue but four years longer, to an unredeemed debt of about 700 millions, and to an annual charge for the interest of that debt (exclusive, as in the other case, of any sinking fund), of about 26 millions. What will be the language of that posterity I will not pretend to anticipate:—as one of their predecessors, I hope it will not be wanting in gratitude for the great exertions which we have been compelled to make. But let us not shut our eyes to facts; and fondly delude ourselves with the idea that we have already done so much for the relief of posterity (always recollecting that of the posterity to which I allude, some of us may hope to be members), that it ought now to be left to shift entirely for itself.

Looking then at the proposals before us, not with a reference to the year 1912, to which one of my right hon. friend's Tables carries us forward, but to the reasonable compass of the next fifteen or twenty years; there are three considerations to be attended to in examining the present plan, comparatively with the existing system: 1st, the whole amount of unredeemed debt: 2dly, the proportion of the sinking fund to that debt: and 3dly, the amount of new taxes that would be requisite under the one system or the other.

This examination of course proceeds on the supposition of the continuance of war, and of an annual loan of 28 millions being requisite, as assumed by my right hon. friend. In the event of peace, the charge of war, for which his plan is in-

tended to provide, would of course cease: and I cannot help thinking that it will be quite time enough, when peace shall be restored, to meet difficulties of an opposite kind, which my right hon. friend apprehends peace may bring upon us: such as the too rapid reduction of debt, and diminution of the rate of interest.

Well aware as I am, and indeed, as every man must be, that the whole sum annually raised upon the country, is applied, either to defray the charge of existing debt, or that of our necessary establishments, it appeared to me, from the first glance of my right hon. friend's plan, that it involved this paradox—That, assuming our establishments to continue the same, this new system professed, not only for the present, but permanently, to decrease our taxes, while it increased our debt: and further, that it professed ultimately to accelerate the redemption of that debt, while it diminished the sinking fund. It was some time before I could find any way out of this paradox: but it is, I think, to be found by a close examination of my right hon. friend's Tables.* I shall not go through the whole of them; but I refer particularly to Table A. 1, 2, and 3.

I am far from wishing to insinuate that there exists any arithmetical inaccuracy in those Tables: but I must say, that they are so constructed as, although correct in themselves, to convey an impression which is very much otherwise.

In the column (Table A. 1.) showing the amount of new taxes under the proposed plan, credit is taken in each year in abatement of those taxes, for the whole sum supposed to be set free by the portion of debt assumed to have been finally paid off. In the column of the same Table, showing the amount of new taxes that would be necessary under the existing system, no credit is given for the sums that would really be set free by the actual extinction of debt according to the law as it now stands. For instance, in 1821 the charge of the war-loan of 1807 would be set free by the existing system, and ought, therefore, to have been stated as applicable in abatement of taxes set down opposite to that year: in like manner, in 1829, taxes to the amount of 21 millions would be set free, and ought of course to be deducted from the total of new taxes stated in the Table opposite to that year. The result would then be, that the total increase of taxes in the year 1829-30, under the proposed plan, would be - - - - - - - - - £16,734,734

Under the existing system	9,446,803
Excess of taxes according to the proposed plan -	7,287,931

If the calculation should be carried on upon the same data, to the last year of that Table, the result would be as follows:

1837-8.—Proposed plan	£24,356,852
Existing system	20,413,467
Excess of taxes according to proposed plan - -	3,943,385

The two other points of comparison are, the unredeemed debt and the sinking fund. I have examined them, and if my figures are accurate, which I believe them to be, they would stand as follows:

	Unredeemed Debt.
1829-30.—Proposed plan	£938,856,438
Existing system	629,736,217
Excess of unredeemed debt according to proposed plan - - - - - - -	309,120,221
1837-8.—Proposed plan	£1,047,677,325
Existing system	680,944,805
Excess of unredeemed debt according to proposed plan - - - - - - -	366,732,520

The respective sinking funds would stand thus:

1829-30.—Existing system	£19,745,200
Proposed plan -	17,820,636
Difference of sinking fund in favour of existing system - - - - - - -	1,924,564
1837-8.—Existing system	£26,858,638
Proposed plan - -	21,917,084
Difference of sinking fund in favour of existing system	4,941,554

I am satisfied to leave the result of these comparisons upon two different periods, one of 17 and the other of 25 years, to the judgment of the committee. But I must just observe, that they are made on the supposition that the annual loan of 28 millions would be raised on

* See vol. 24, Appendix.

terms as favourable under the proposed plan as under the existing system: a supposition altogether unreasonable, when we consider the greater accumulation of debt, and the diminished power of the sinking fund under the proposed plan. It may be difficult to form any conjecture as to the amount of the difference; but whatever it might be, the result to that amount would be still more unfavourable to the proposed plan.

Another consideration to which it is most material to advert, in taking this comparative view, is, that it proceeds upon the supposition that the sinking fund will not be touched beyond the amount estimated in my right hon. friend's tables. These tables show how far he proposes to go; but the principle of 45 years, upon which he grounds his right to touch the sinking fund at all, would carry us much farther. My right hon. friend says, in his Statement, "that the mode of exercising this discretionary power of parliament to cancel such portions of debt as shall have been redeemed, may be varied as circumstances may require; but, during war, that which has been pointed out, appears to be most generally advantageous." Now, if this discretionary power is once established in principle, does any one doubt, that, upon every occasion of temporary pressure, it will be resorted to? Does any one doubt but that we shall go the full length of the principle of never allowing the sinking fund to exceed the minimum proportion of one to a hundred of the unredeemed debt?—and that, once armed with this discretion, we shall, upon a little further pressure, go one step further, and take away the sinking fund altogether?

In vindication of the plan, I have heard something like this kind of argument;—that, admitting it not to be strictly consistent with justice to the creditor of the state, still, if it promises to operate greatly to the general relief of the public, without being materially prejudicial to the public creditor, it ought to be adopted.

Without dwelling upon such general observations as must occur to every man, upon the great danger of attempting to justify by this doctrine of conveniency a violation of the plain letter of an engagement;—without stopping to remind the Committee, that, in any such attempt, we are at once party and judge, and judge without appeal; I will confine myself to the mere question of probable injury. If not immediately, in the course of no very long period, the plan must be highly prejudicial to the public creditor. It may not operate immediately, because political circumstances are now very favourable to public credit: and also because, in the first year of this plan, the sinking fund will not be materially, if at all, impaired. But what must be its effect in future years, when the sinking fund will be diminished between seven and eight millions; and when the public mind may possibly not be elated with the same sanguine hopes as are justly entertained at this moment?

A loan is but the sale by government, at the best price which it can obtain in the open market, of a certain amount of annuities charged upon the income of the nation. The public debt is the aggregate amount of those annuities already sold in the market. In that market government is both a seller and a buyer: a seller to the amount of the loan: a buyer to the amount of the sinking fund. It follows, therefore, upon the plain principle of supply and demand, that if government, being compelled, from any circumstance, to sell more, determines at the same time to buy less, the price of the article must fall. Now the effect of this plan, and especially in the next four years, is very greatly to increase the difference between the sum to be added to, and the sum to be redeemed from, the national debt in each year. The accounts now before us show what has been the effect upon public credit within the last three years of loans very far short in their amount of those now wanted, and notwithstanding a constantly growing sinking fund. When the excess of our loan above our sinking fund did not, upon an average, exceed five millions (money value), as was the case in the five years ending with 1811, the three per cents rose to near 70; but now, when that excess is more than 15 millions in each year, they have fallen to 59. Is this a moment for breaking in upon the sinking fund, and for taking away from it, by wholesale, in four years, the amount of the accumulations of thirty?

My right hon. friend satisfies his own conscience, however, by the reflection, that he shall compensate to the annuitant this unavoidable depreciation of his security, by affording him a temporary respite from taxation. Again I must object, when the faith of a contract is at stake, to this doctrine of equivalents, this balance of injury and kindness. How can we know

what is an adequate equivalent? The price of the public stocks does not depend upon the value of the dry annuity. It is a joint consideration of this annuity, and of the prospect of an increase in the value of the nominal capital, that operates upon the mind of the purchaser. I had a pretty strong proof of this when I myself was in office. From a wish to guard the public against the great loss of redeeming, perhaps at par, three per cents which might be borrowed at 60, I proposed to the bidders for the loan to make them redeemable at 80. They would not bid at all upon the proposal. If my right hon. friend doubts whether this prospect of higher prices enters into their calculation, let him try what they would now give for a three per cent. annuity redeemable at 60.

If the view which I have taken of this plan, so far as regards the public faith, be correct, it cannot be necessary to show, by many additional arguments, that the whole system, viewed abstractedly from its justice, is at variance with sound policy. That it would prove so in its ultimate effects, no man, I think, can doubt; but, in the present instance, it will also be found (what may not always, perhaps, be the case), that not only our permanent, but our immediate interest requires of us, not to deviate from the straight-forward path in which we have hitherto proceeded.

I have the more confidence in the solidity of the objections which I take to the mere policy of the measure, because they are almost all derived from principles of finance, and lessons of political economy, for which I am indebted to the great practical masters of this science in modern times; and mainly, I speak it with unfeigned sincerity, to my right hon. friend himself.

The tables to which I have recently referred, establish, beyond all doubt, that the plan cannot be persisted in for three or four years without a serious injury to public credit. But in time of war, when we have to borrow so largely, is not the efficiency of that credit essential to the efficiency of the state? Is not its support the true husbanding, and its decline the profuse waste, of our yet remaining resources? Then what is the state of our credit at the very outset of this plan? Is it not already "labouring" under the vast accumulation of debt? and does it not manifestly sink, in spite of a state of external circumstances so unusually favourable, under the enormous calls that are made upon it by the unparalleled magnitude of our loans? Is it not true, that by the weight of loans far less than those now required, and notwithstanding a growing sinking fund, the public securities have suffered a depreciation little short of 20 per cent. within the last three years? Does the Chancellor of the Exchequer consider such a depreciation upon a capital of six hundred millions to be in itself nothing? Does he think it a matter of indifference whether the interest of money is at six or seven per cent. instead of being at or under the usual legal rate? Does he imagine that this depreciation, and this high rate of interest, will have no prejudicial effect upon our industry, our manufactures, our commerce, our internal improvements, and, above all, upon the progress of our agriculture? If the demands of the state are so large, and the temptations which it offers so powerful, as to absorb the innumerable streams and channels by which individual credit is nurtured and supported; the activity which is created, the exertions which are called forth by that credit in every branch of productive industry, must proportionably languish and decay. Does my right hon. friend seriously expect, or does experience warrant him to hope, as he intimates in his Statement, that in such a state of credit our permanent revenue can improve? The prosperity of that revenue depends, in a great degree, on the facility with which the active classes of the community are enabled to borrow the capitals requisite for their various pursuits. However paradoxical it may appear, there is, I will venture to say, no part of our population so nearly interested in the improvement of public credit as those to whom these borrowed capitals afford employment; and none, consequently, who ought more cheerfully to acquiesce in whatever sacrifices may be necessary for the support of that credit.

I have heard the proposed plan excused and palliated out of doors, by some who cannot approve of its principle, from an expectation that it will give such an impression of our resources, as may, in the present state of affairs, be attended with the most important consequences: that our friends on the continent will be elated, and our enemies astounded, by the promulgation of a plan for carrying on the war for four years without taxes.

I trust that this most shallow of all

hopes, this most short-sighted of all the views which can be taken of the subject, is not entertained by his Majesty's government as any recommendation of the plan.

The governments of the continent, and the thinking and intelligent part of their subjects, are likely to take a very different impression. They look upon our sinking fund—and the events of the last 20 years, and not less than the events, our language and our conduct also, have taught them to look upon it, as the main stay and prop of our credit—as the perennial source which supplies our annually-growing exertions—as that sacred reserve which no momentary temptation, in the apparent extremity of our fortunes, could for one moment induce us to weaken, or impair. They have seen us in the hour of our severest trials, when the Bank stopped payment, when our fleets mutinied, when rebellion raged in a sister kingdom, carrying additional aid to that fund, instead of breaking in upon it. They know what we have done for that fund, and, as is often the case with those who are mere spectators of the blessings which others uninterruptedly, and for that reason almost unconsciously, enjoy, they also know, perhaps, better than ourselves, what it has done for us. If I wished to illustrate what I believe to be the general feeling of the continent respecting our sinking fund, I could not do so more forcibly perhaps, than by stating, that in France a sinking fund has been established upon the principles of our sinking fund; and established by whom? By Buonaparté himself; that great despoiler of the civilized world; that wholesale plunderer of the accumulations of peaceable industry: by Buonaparté, who thinks that the best system of finance is in the success of his sword; who acts as if the whole science of political œconomy consisted in the transfer of his subjects from productive to unproductive pursuits. That the sinking fund of France is merely a delusion, I perfectly believe. But it has been justly said, that "hypocrisy is the homage which vice is forced to pay to virtue;" and there cannot be a clearer proof of the opinion sincerely entertained of the sinking fund of England, than this attempt to delude the people of the continent by a pretended imitation of it.

If my right hon. friend, therefore, has been induced to adopt this measure, as one likely to overawe the enemy into moderation, I am afraid it will have a very different tendency. If, from any circumstances, he thinks that peace may soon be attained; why unnecessarily weaken confidence at home, and revive in the breast of Buonaparté those vain hopes of wearing out our resources, which adversity, though it may not have extinguished them, has probably in some degree subdued? If war is likely to continue, why begin upon a system, which, if pushed to its utmost, may at last drive us to the necessity of signing a precipitate and disadvantageous peace?

This, it is true, is not the first time that we have had recourse to expedients widely departing from the ordinary and legitimate system of adding to our income by permanent taxes, in proportion to the increase of permanent charge created by the loan of the year. In 1807, an expectation was held out to the people that no new taxes should be imposed for three years. Accordingly, the loan of that year was assigned upon the war-taxes. In 1808, the falling in of the short annuities, and an advance by the Bank of three millions without interest, enabled parliament to meet the charge of the small loan required for that year, without materially breaking in upon the assurance that taxation should be suspended for three years. In 1809, the charge of the loan was thrown upon the war-taxes. This measure was strongly objected to; and the ground of its defence, as argued by myself and others, was, not the general policy of the measure, but its particular expediency, and for that year only, as necessary to complete the term of the respite from taxation promised in the year 1807. The war-taxes mortgaged for the charge of this loan amounted to one million. It is obvious, that the effect of this mortgage was of course to diminish your disposable revenue, and to increase your loan to the same amount in that and every subsequent year. If, instead of the war taxes, the million be taken from the sinking fund, a difference to that amount is created between the sum borrowed and the sum redeemed. In both cases, the effect for the first year, with respect to the public credit and the accumulation of debt, is the same; but prospectively that credit will be injured in an infinitely greater degree, by the deduction of a million from the sinking fund; because this million would have continued to improve and accumulate at compound interest for the reduction of debt; which of course is not the case with the million of war-taxes.

Carrying along with us these considerations, and recollecting that the measure of 1809 dipped into the war-taxes for one year, and for one million only; let us see what were the sentiments of the highest financial authorities upon this measure.

The first great authority to which I must request the attention of the Committee, and from which, as well from its great excellence, as from the peculiar respect to which it is now entitled from this House, I shall borrow very copiously, is that of my right hon. friend himself. He thought it his duty, at the close of the session of 1809, to move a series of Resolutions of Finance. In the course of the following summer, he did himself much honour, and the country much service, by carefully revising and publishing the substance of his observations on that occasion.* The extracts from that publication, which I am now about to read to the Committee, will, I am sure, be, to every gentleman, the strongest inducement carefully to peruse the whole.

In the first part of that publication, my right hon. friend has given a very interesting narrative of the bold and manly measures adopted by lord Sidmouth upon the renewal of the war in 1803, for raising a large disposable revenue within the year. As my right hon. friend must have had a principal share in maturing and bringing forward those measures, he is well entitled to participate in the just credit which they reflect upon that administration. My right hon. friend closes his remarks on that part of his subject in the following terms: "In the statement of his (lord Sidmouth's) last budget, he strongly urged the importance of adhering to the same system by an annual addition of at least one million to the war-taxes, till the object of equalizing the income and the expenditure of the country should be obtained. He knew that when this great point was attained, the continual accumulation of the sinking fund would speedily afford means of relief to the public, which could not be employed either with justice to the stockholders, or safety to the state, so long as the accumulation of debt continued."—With justice to the stockholders, with safety to the state, so long as the accumulation of debt continued! Will the Committee forgive me for having detained them so long upon the injustice of the present proposal, when I might have satisfied them at once by the decided testimony of my right hon. friend? Will the country forgive me the expression of my apprehensions for its danger, when they are told from such high authority, that the sinking fund cannot be touched with safety to the state, so long as the accumulation of debt continues? Will my right hon. friend forgive me, if, in the name of that justice which he acknowledges to be due to the public creditor; if, in the name of that state, of whose safety he is one of the immediate and responsible guardians; if, in the name of his own fair fame, which is the merited and best reward of his public labours—I conjure him not to persist in a system, which, by anticipation, he has so justly condemned?

I now proceed to another part of the publication, in which my right hon. friend expresses himself in these terms:

"Let me not, Sir, be misunderstood as the advocate of excessive or unlimited taxation. I am aware that all taxation is in itself an evil, and I can conceive many circumstances under which I should think the Chancellor of the Exchequer had acted in the present instance with prudence and judgment.

"The first and most obvious of these would be a great and general impoverishment of the country. It might then happen (as in fact it did towards the close of the American war), that the imposition of new taxes would add nothing to the revenue, but only depress the produce of the old ones. But I would ask the right hon. gentleman, and every gentleman present, from whatever part of the country, where the symptoms of such impoverishment appear? Supposing, however, such a decay to exist, I say that the same necessity which contracts our means ought to limit our expences. Shall we be the richer for plunging deeper in debt? Will it increase our resources to consume those which yet remain?"

These are the questions which my right hon. friend put in 1809: I hope that he is now prepared to answer them.

He proceeds thus:—

"In another case of a very opposite kind I might think it advisable to abstain from further taxation—that of a very rapid improvement of the existing revenue. Did our resources appear to be increasing in a degree nearly commensurate to our wants, I should be unwilling to endanger so prosperous a state of things by any interference, or to abridge the comforts of

* See vol. 14, p. 1131.

the public by any charge which might be safely avoided or deferred. But though I am convinced that the national wealth is progressively increasing, I fear we are far from such a state of things. The revenue has of late appeared rather to decline than to increase."

I would just ask my right hon. friend whether this remark does not exactly apply to the present state of the revenue.

"Another case in which I might approve of the course which has been pursued is that of a prospect of immediate peace, or of a great reduction of expence from any other cause. But of all suppositions this seems at present the most extravagant. The war rages more extensively and with greater exasperation than ever, and every day seems to bring forward some fresh obstacle to accommodation, and some new call for our exertions.

"But leaving to the defenders of this measure to point out such circumstances as may, in their opinion, justify it, I shall proceed to state a few of the numerous objections which induced me to condemn it.

"In the first place, it is a weak and delusive resource, which will be speedily exhausted.

"A second objection to this diversion of the war-taxes from the purposes for which they were originally granted by parliament, is, the continual and progressive increase it must occasion in the difficulty of raising the supplies. As the amount of the loan must annually be augmented by a sum equal to the war-taxes which have been appropriated both by that, and all preceding loans, they would be most rapidly consumed, by a continual accumulation of compound interest; and when it shall become unavoidable to seek for fresh funds for these augmented loans, where will they be found, and in what state of credit will these loans be raised? If the right hon. gentleman thinks that the people, having been indulged with a respite from further taxation, will return to it more readily, he is greatly mistaken. Having once been told by authority, that further burdens were either intolerable or unnecessary, they will readily listen to those who will never be wanting to tell them the same thing again; and they will be disposed to countenance wild plans of retrenchment, and chimerical schemes of finance."

If the Committee will only substitute the words sinking fund for war-taxes, through the whole of this paragraph, I have no other alteration to offer either in the language or in the argument.

"Another most important objection occurs when we consider the establishment which it will probably be necessary to maintain whenever peace may be concluded.

"It is an objection not less important, though of a totally different nature from any of the preceding, that the system of finance pursued this year, has the strongest possible tendency to encourage prodigality in the public expenditure.

"It is no less true in public than in private economy, that what is easily acquired, is often needlessly spent. It is also the natural bias of every department, and may even proceed from a laudable though inconsiderate zeal for the public service, to draw to itself as large a portion as possible of the supplies. If this be not checked (as I fear at present it cannot be) by a firm and over-ruling controul at the Treasury, it naturally leads to an indefinite and wasteful expense. But the strongest stimulus to excite the Treasury to perform its duty by a vigilant restraint on the public expenditure is wanting, if supplies can be obtained without an immediate pressure on the people. The temptations which perpetually occur to a minister, of a loose and careless administration of the public purse, are constantly counteracted by the impending and painful task of taxation.

"It will be evident to every gentleman, that if the amount of the loan is reduced, the competition to obtain it will be increased, and the supply of capital in the market more abundant, compared with the demand, and the sum to be raised will consequently be obtained on more favourable terms. The principle of this saving is perhaps not less certain than a mathematical demonstration, but the extent of its operation can only be calculated on hypothetical *data*, and it may not therefore be a proper subject for a distinct Resolution of the House. Every gentleman will form his own supposition; I will just mention one which seems to me supported by a strong analogy. In the year 1798, when Mr. Pitt first proposed his system of war-taxes, the loan was raised at an interest of above six per cent. In 1800, when they had been established two years, the interest of the loan but little exceeded four and a half per cent. Adding the one per cent. sinking fund to be provided on the capital created, the total saving

amounted to about two per cent. on the whole sum raised both by loan and war-taxes.

"Such, Sir, have been the effects of the system which the Chancellor of the Exchequer has this year forsaken and impaired: a system sanctioned by general approbation, and proved by experience to be solid, wise, and economical. It has indeed required many sacrifices, and may require more: but it is a most dangerous delusion, to expect to perform great achievements without making great exertions. If we cannot reduce our expences to our income, we must raise our income in proportion to our expences. I am willing to give credit to the right hon. gentleman for readiness to effect every practicable and prudent retrenchment; and I trust still more to the disposition of parliament and of the public to enforce it. But what more is wanting, and much more, I fear, must be wanting, we must be prepared to furnish; and it has been my wish, in what I have said, to strengthen the hands of government (so far as my arguments or opinions could have any force), and to facilitate its resuming the wise, the secure, and honourable course hitherto pursued."

Let us now see how this measure of withdrawing a million from the war-taxes was viewed by other great authorities.

In the Journals of the House of Lords I find a Protest* against the measure, to which the first signature is that of lord Sidmouth. The name of lords Grenville and Carrington are also subscribed to the same document, in which I find, among others, the following objections:

"Because the present measure is subversive of the principles on which the sinking funds and war-taxes have been successively established and augmented—principles invariably adhered to under every change of men and measures during the last 23 years, and now first abandoned.

"Because the system, of which this measure is, we fear, the commencement, will rapidly absorb all the extraordinary resources provided by the wisdom of parliament to meet the exigencies of war; and will, within a very few years, plunge this country into financial difficulties, such as have never yet been apprehended even by those who have thought most unfavourably of the resources of the country."

* See vol. 14, p. 987.

In the month of July 1812, we find my right hon. friend (then, as now, Chancellor of the Exchequer) stating to this House, that "he should probably feel it necessary to prepare some plan, whatever it might be, for the more effectual support of public credit. What particularly occurred to him would be to make some addition to the sinking fund for whatever portion of the loan might exceed the amount of the sum to be redeemed within the year."

My right hon. friend proposes to make this addition indeed; but in what manner? By taking from the sinking fund, as it now exists, not only this addition, but also the one per cent. for the other part of the loan, and all the charge of interest for the whole.

To the authority of my right hon. friend, at least up to the present moment, for strengthening, instead of impairing the sinking fund; to that of lord Sidmouth and of lord Grenville, I must add the greatest authority of all, that of Mr. Pitt. I can take upon me to assure the Committee, in the most confident manner, that it was the strong leaning of his mind, I might almost say his fixed intention, had he lived to direct the finances of the country for another year, to impose not only the taxes that might be necessary to meet the charge of the loan of that year, but as many more as he thought the country could bear without too great or too sudden a pressure upon its resources. All the surplus of such taxes, beyond the interest of the loan, he intended to apply as an immediate voluntary aid to the sinking fund, to be gradually withdrawn for the charge of future loans, if for that purpose any part of it, or the whole, should, in future years, be required.

My right hon. friend, and others who so strongly condemned the subtraction of a single million from the war-taxes in 1809, will not contend that the accumulation of debt, or the state of public credit, or the amount of the loan, compared to the sinking fund, was such as to render hazardous at that period what is comparatively safe at present. In that year the three per cents were at 68; they are now at 59. In that year the loan was 17 millions, and the sinking fund about 10 millions. For the present year the loan, I much fear, will not be short of 30 millions on account of England only, and the sinking fund less than 14 millions.

It cannot be imputed to my right hon.

friend, that, in enumerating all the virtues of his plan, he ever mentioned economy as one of its recommendations. He well knew that he could not, although it is an inference in its favour which some persons have derived from a superficial examination of his Tables. My right hon. friend, I am sure, would be the last man to countenance such an inference. He has most successfully shown, on various occasions, that true economy consists in a course altogether opposite to that which he now adopts. He has reduced to figures, and recorded in resolutions, the proofs of that economy, demonstrating by the most irrefragable evidence, that to accumulate debt, in the manner and to the extent now proposed by this plan, is the very reverse of good management. He has shown you what you have actually saved by raising a large portion of your supplies within the year. I will not fatigue the Committee by a detailed reference to these proofs. They will find them in the speeches of my right hon. friend, to which I have already referred.

If our resources are not infinite and absolutely inexhaustible; if we have already dipped deep into those resources; surely it the more becomes us well to consider, whether the remainder are not now in danger of being dissipated with unnecessary celerity? Whether, by mortgaging now, at usurious interest, that income which we had wisely set aside for the discharge of existing incumbrances, we shall be more at our ease some few years hence? Whether, by accumulating debt now, upon terms which may oblige us to redeem it at an expence nearly double hereafter, we are compensated for the immediate pressure of usurious interest, by the prospect of future relief? Let gentlemen look round the world, and show me a state once in difficulty; let them look among their acquaintance, and show me an individual, once involved, that has ever been brought round and saved by these, or such-like expedients. If they still doubt the delusion of such a system, one example drawn from the financial affairs of this country, and brought before them, not by a comparison of distant transactions, but confined to the three last years of the present war, will, perhaps more forcibly, than any more general view, open their eyes to the wasteful consequences of the proposed plan.

Let us compare the terms of the loan of 1810 with the terms of the loan of 1812, both in the three per cents. In 1810, for every 100*l.* sterling the contractors received 140*l.* 7*s.* 6*d.* three per cent. stock: in 1812, for every 100*l.* sterling they received 176*l.* three per cent. stock. A loan of 28 millions, the amount assumed by my right hon. friend to be hereafter annually raised, would, if negociated upon the terms of 1812, add to the amount of debt in each year 10,000,000*l.* of stock, and to the permanent annual charge 404,000*l.* (money value), more than if negociated upon the terms of 1810. And who shall say that, under this plan, future loans will be raised even on the terms of 1812? Neither is this all: in 1810 the exchequer bills were circulated at an interest of 3*d.* per day for every 100*l.* The interest is now 3½*d.* This is another increase of annual charge, exceeding 200,000*l.* Let gentlemen calculate what these differences only would amount to in the next four years, both in increased debt and in increased permanent charge; and then they will have some faint idea of the œconomy of a plan, the tendency of which, it is admitted, is to lower the price of the funds. On the other hand, there can be very little doubt, if the sinking fund were left to its natural growth for those four years (with the same amount of loan), that the funds would revert to the more favourable prices of the year 1810.

Another consideration of œconomy is, that the reduction of interest upon the five and four per cent. stocks, which has always been looked to as one of the advantages that would speedily be realized by the sinking fund on the restoration of peace, and which would produce a saving of nearly three millions a year, must necessarily be retarded by the effects of the proposed system.

I am aware that it may be said to me,—"If, after all, you are of opinion that this measure is so doubtful with respect to public faith, in policy so hazardous, and in economy so expensive, what is it that you would recommend?" My general answer is, that it forms no part of the duty of an individual member of parliament, neither holding a responsible situation, nor possessing those means of informing and maturing his judgment which properly belong to office, to go beyond the sphere of his duty. That duty I have discharged, by stating my conscientious opinion upon the present plan. It certainly is not necessary, and it may not be altogether prudent, for me to go further.

But knowing, as I do, all the difficulties of my right hon. friend's situation, and anxious, as I am, to satisfy him and the Committee, that it is not my disposition to add to those difficulties, I am prepared to state what has occurred to me for obviating the fundamental objection which I feel to the intended measure in its present shape, if the patience of the Committee, which I have already so much abused, should incline them not to refuse this further indulgence.

My right hon. friend stated to this committee, on a former occasion, that during war, but especially during the present war, the country possessed means of taxation, which, from their nature, could not be permanently continued in time of peace. In this I agree with my right hon. friend, thinking with him, that the war-taxes, productive as they already are, might however be considerably augmented. That the permanent taxes do not admit of the same latitude, is an opinion which of late years I have more than once declared in this House. I also agree with my right hon. friend, that an alteration will, at some time hereafter, be requisite in the Sinking Fund Act of 1802, so as to render more equal, and to extend over a larger portion of time, that relief which the public will derive from the extinction of the debt contracted prior to that period. I subscribe to the opinion, that to have devolved the whole of that relief upon one year, is an unwise departure from the original Acts of 1786 and 1792; but, on the other hand, I contend, in the first place, that no alteration is immediately necessary; and 2dly, that, whenever it is attempted, the object which we ought to have principally in view should be, both as to sinking fund and debt, to revert, as much as possible, to the salutary provisions of those original Acts.

The simultaneous extinction of a very large portion of debt, and an accumulation of sinking fund, that would become unnecessarily large for some years before that event shall take place, are the two inconveniences against which my right hon. friend wishes now to provide. In order of time, the too great accumulation of the sinking fund is the first of these evils: it must necessarily precede the other. But, surely, this is not an inconvenience which is either now pressing upon us, or is likely to arise, so long as we are compelled to borrow far beyond what the sinking fund can redeem within the year. On the one hand, therefore, it cannot be said that any such evil now exists to call for our immediate interference: on the other, I have the clear and recorded opinion of my right hon. friend, that the sinking fund cannot be touched, "either with justice to the stockholder, or safety to the state, so long as the accumulation of debt continues."

Let us then examine, whether, upon the grounds which I have stated, my right hon. friend's plan cannot be so amended as to bring it within those limits of justice and safety, which he has so accurately defined. For that purpose we must find the means of avoiding the necessity of impairing the efficacy of the sinking fund at the present moment.

Now my right hon. friend is already provided with taxes to the amount of 1,130,000*l.* for the present year. He wants about 700,000*l.* more to meet the estimated charge. The course I should take would be in substance this:—First, I would charge these 700,000*l.* permanently upon the income of the sinking fund; but secondly, I would repay to the sinking fund, within the year, and out of the produce of the war taxes, a sum equal to the charge so thrown upon it in the first instance: and thirdly, I would impose new war-taxes to that amount, unless upon examination it should turn out (as I believe it would) that by the improvements already made, or which might be made, in the assessment and collection of the property-tax, an increase in its produce to the full amount required might be expected in the present year. If such an increase may be reckoned upon, no new taxes would be necessary beyond those which the Chancellor of the Exchequer is actually prepared to impose.

If the war should continue, I should in like manner charge the interest of the loan of the next year upon the sinking fund; replacing to the sinking fund the amount of the sum so charged out of the produce of the war-taxes, and increasing those taxes by an addition equivalent to the amount so transferred to the sinking fund.

The advantages of this mode of proceeding, as compared with that of my right hon. friend, would be these:—first, you would avoid breaking in upon the efficacy of your sinking fund during the war: secondly, by charging upon that fund the interest of the loans, you give to the contractors at once that permanent security which the war-taxes, from their

nature, do not afford: thirdly, you maintain the disposable revenue at its present amount: fourthly, by the growth of the sinking fund, you would revive and sustain public credit; (raising the loans in consequence upon far cheaper terms:) and fifthly, the unredeemed debt would be smaller by many millions at the close of the war.

I should not object to mortgage, in this manner, the sinking fund to the amount in the whole required by my right hon. friend for the next four years, if the continuance of the war should render such a sacrifice necessary.

If at the end of the four years, or sooner, peace should be restored, we should then be in a situation to revise the Act of 1802, without injury to the public interest, or to the public creditor; but, even then, I should think it improvident to interfere too hastily with the operations of the sinking fund. I would still continue to repay to that fund, by a portion of the war-taxes, to be continued specifically for that purpose, the full amount charged upon it on account of loans, until the state of public credit should admit of a reduction of interest on the five per cent. stock.

When we shall not only have ceased to make any addition to our existing debt, but shall further be enabled to reduce the interest on a large portion of that debt; then, I should say, the time would be arrived, when, without prejudice to the state, or injury to individuals, you might leave the charge of those loans upon the sinking fund, unreplaced by any further repayment from other sources.

The reduction of the five per cent. to a four per cent. stock would be an advantage of no small consideration, which is at least postponed by the plan of my right hon. friend. The saving by this reduction of interest, when it takes place, will be more than one million a year; a saving either to be made over to the sinking fund, or to be appropriated to the public service, as may appear most expedient, under all the circumstances of the country, at the time when it may take place.

In 1819, we should have the further aid of the imperial annuities (230,000*l.* a year), which will then fall in; and in 1821, the charge of the loan of 1807, amounting to 1,200,000*l.* a year, will be set free. Without anticipating the duty of a future parliament, as to what may be the most proper application of these sums; it is obvious that these resources, from the proximity of their falling in, might, in the event of peace, afford further facilities in the execution of the suggestion of which I am now stating only a very general outline.

Let us suppose that we act upon the principle of this suggestion, and that peace is not restored sooner than the end of the year 1816. We should, by that time, have mortgaged the sinking fund to the amount of about six millions. Its whole amount applicable to the reduction of debt, in 1816, would be upwards of 18 millions. It is not over-sanguine to assume, that by the effect of the continuance of such a sinking fund, with its annual improvement for two years after a peace, the interest on the five per cent. stock might be reduced to four per cent. On the other hand, it cannot be denied by those who are acquainted with the nature of our war-taxes, that several of the most productive (independent of the property-tax, which, in a more or less proportion, must, I think, be continued, at least for some years, as the foundation of our peace establishment) might without difficulty be maintained for two years after the restoration of peace; say till the close of 1818. The sinking fund would then have reached nearly to twenty millions. By deducting the aid of the war-taxes, it would, in the year 1819, be reduced to somewhat above fourteen millions, or fifteen, if the saving by the contemporaneous reduction of the five per cents should be allotted to it. From that period, so long as peace should continue, we should have annually the gratifying task to perform, of remitting to the people more or less of their burdens; and we might look back upon our past difficulties with the cheering recollection, that a firm adherence to the principles laid down by Mr. Pitt in 1792 had enabled us to provide for all the exigencies of this tremendous and protracted contest, without for a moment swerving from that strict good faith which at once raises our character and doubles our resources; at once enables us, by exertions unparalleled in our history, to uphold the glory of our arms in every quarter of the world, and to find in the public credit at home the means by which such exertions are to be sustained.

I will not weary the committee by going into further details of the alteration which I could wish to see introduced into the plan of my right hon. friend. If the prin-

ciple of that alteration should once be admitted by him, I am sure that he would be infinitely more competent to direct its application than myself. By adopting it, he would remove the only insuperable objection which I feel to his plan; that which arises from its directly breaking in upon the sinking fund, and diminishing its effective amount and operation, under circumstances, which, according to my right hon. friend's own words, more than once quoted by me, render such interference neither consistent "with justice to the stockholder, nor with safety to the state."

The *Chancellor of the Exchequer* confessed that the speech of his right hon. friend who had just concluded, had abounded with mistakes so great, and with misconceptions so radical, that he almost despaired of convincing the committee of the expediency of the plan he had proposed. He was the more confirmed in that fear, because his right hon. friend, who had all the assistance of official information, had totally misunderstood his plan, and the principles on which it was founded; his right hon. friend would have taken a fairer view of that plan, if he had considered it as the means by which they were to be enabled on that day to enter upon the enjoyment of those provisions which had so long been in a state of preparation. The question was, whether the time was really come when the nation was to avail itself of the advantages which had been prepared. His right hon. friend was much mistaken when he said that the plan which had been proposed would operate in a manner prejudicial to the interests of the stockholder. He could never have reconciled himself to the plan, if it could have such an effect. His right hon. friend had not mentioned what he (the Chancellor of the Exchequer) believed was generally understood, that a departure from the Act of 1802 must at some time necessarily take place. This was that which must occur, and therefore the question now before them was, in a great measure, whether or not the present was the proper time for departing from it? He was far from wishing to put the sinking fund down. Instead of doing this, he hoped the proceeding of that night would place it on a more solid foundation than it ever had been, and make it more than ever a glorious monument to the memory of Mr. Pitt. He admitted that, for all the loans contracted since the Act of 1792 was passed, the creditors had a right to the full benefit of the provisions of that act; but he contended it was in no degree infringed by the resolutions under consideration. The plan, of which they were a part, went to annihilate every debt, contracted not only within the period of 45 years, but within a shorter period than that within which its liquidation was promised by the existing system. He had thought it probable his right hon. friend would have pointed out some case in which this could not be made clear, but as his industry had not discovered an instance of this, he (the Chancellor of the Exchequer) could not but think he had a right to suppose that such could not be found. This brought to his recollection what appeared to him a most extraordinary objection to the plan which had been urged by the right hon. gentleman. He had objected to it, that its principle was to take the sinking fund, and after reserving of it so much as would serve to extinguish the debt in 45 years, to apply the remainder to the public service. This he declared was no part of the present plan, though he contended, that by the Act of 1792, to vary the mode of the redemption of the debt to the principle of extinguishing each successive loan within the period of 45 years, was stedfastly kept in view. Nothing, however, in the present plan, brought this question now before the House, as the plan which he had suggested went to discharge the debt incurred by each loan within a shorter period even than that within which, by the existing system, it could be extinguished. That it was the opinion of Mr. Pitt that it ought to rest with parliament, to purchase, in the present mode of redeeming the public debt without variation, or to vary it according to circumstances, was clear from the proposition brought forward in that House in 1803, with the concurrence, and at the suggestion of that distinguished statesman.

The right hon. gentleman had said, that if the sinking fund's operation by compound interest were broken in upon at all, the one per cent. which formed the sinking fund, might next be taken away. He strongly dissented from this opinion, and contended that the two cases were quite different. The mode of redeeming the debt might be varied, but the one per cent. could not be withheld or taken away. The several loans contracted were directed by the act to be paid off in regular succession. The only way to effect this, as all the loans were raised in a common stock,

was to pay off a portion of the debt equal to the amount of some of the loans, and then to assume that such loans were discharged. The Act of 1803 clearly recognised the right of parliament to vary the mode of effecting the redemption of the debt. The great object of this plan had been stated by the right hon. gentleman, to postpone the charges which might now fall on the country for several years. He admitted this to be one of the objects he had in view, and he would own that he thought it one of no small importance. He hardly knew what could be more desirable, than to postpone those charges for 4 years, if this could be done without violating those great principles which ought ever to regulate their conduct. He would now suppose, that it could be proved to Buonaparté, that without departing from those principles of good faith which they had hitherto kept in view, they could prosecute the war with vigour for that period without imposing any new burthens on the people. He did not think Buonaparté would find much consolation in looking forward to the bankruptcies which might afterwards take place. Great advantages might result from such a measure to this country. Within the space of four years the face of Europe might be essentially changed; and if ever there was a period at which great sacrifices could be made for a time, if they could be made without a violation of great constitutional principles, this was the period which called for them. The right hon. gentleman had laid great stress on the sentiments which he had delivered on former occasions. He had no disposition to deny what he had then stated, nor to explain his statements away. Content to take them as they stood, they were what he thought was right at the time, and in nothing were they inconsistent with the principles he maintained now. The Committee would see, that a provision was made in the plan for a long series of years. That great expences would long be felt, he could not but expect; but that the expenditure of the country would very long remain what it was at present, he had no right to take for granted.

The right hon. gentleman had taken an advantage of him in referring to his statements, and supposed the case of the war continuing for 25 years. If war should continue the scourge of Europe for 25 years longer, great sacrifices would certainly be necessary on the part of this country. In that case, we should see nearly 45 years (with little interruption), of war and desolation, which was a scene which he believed the history of the world had never yet presented. If such a calamity should occur, heavy additional taxes were certainly the least we could expect. The right hon. gentleman had supposed in his calculations that the debt created had all been created in the 3 per cents. He could not admit any such supposition. On looking back to the last 5 years, 1808, 9, 10, 11, and 12, the total amount of stock created in the 3 per cents. was 53½ millions out of 118 millions. He must protest against the inference to be drawn from the supposition of the right hon. gentleman, and against the assumption, that it was indifferent in what funds the stock was created. There would be a very great difference in speaking of a thousand millions in one fund and a thousand millions in another. He felt satisfaction at finding that his right hon. friend had not been able to discover any inaccuracy in his tables. In the additional tables, however, which had been made out for the right hon. gentleman, there was an error, which, though not of importance in a calculation for a long series of years, was so when applied for a single year. It assumed the sinking fund to be equal in amount to each fund created. A moment's consideration would prove this to be erroneous. The effect of the new plan would be to increase the sinking fund for the first year. In the first six quarters, he calculated it would be enlarged by 400,000*l.* beyond what it would be by the present system.

Having stated the periods at which the payments were to be made to the Sinking Fund, he proceeded to controvert the statement that the taxes would be greatly increased from the year 1830. From the falling in of the consolidated sinking fund at that period, it was thought no additional taxes would be necessary, in the supposition of war continuing for a considerable time. The question might be brought into a very narrow compass. It was this—shall we pay taxes now, or risk being called upon to pay taxes in 1830? In addition to that feeling, which made us naturally disposed to put off the evil for the present, when it could be done without danger, there was this consideration in favour of the plan: we knew the taxes were wanted now; from a change of circumstances they might not be called for in 1830. The right hon. gentleman had

stated Mr. Addington to have been favourable, in 1803, to a plan which Mr. Pitt had, when dying, mentioned as that which he had had in contemplation; namely, a plan to increase the war taxes. This was afterwards carried into effect by the present marquis of Lansdowne and lord Grenville. In speaking on this subject, the right hon. gentleman had not paid sufficient attention to circumstances. Great efforts had been made in 1807 to equalize the public burdens and the public expenditure, and this for a time had been very successful. It had ceased to be so, and after such an effort so recently made, it was for the House to determine whether it would be prudent to attempt to carry that plan any farther.

In his judgment the present plan afforded a probable prospect of affording the country much benefit, without exposing it to those inconveniences which were anticipated. The right hon. gentleman did not do it justice, when he spoke of it as being founded on a calculation which extended to but four years; he would find it extended to 14; and he (the Chancellor of the Exchequer) would have thought very little of its provisions had they not been of a more permanent nature, if they had not been framed with a view to a change of circumstances, as well as to give the sinking fund a steady operation. The advantage which it offered in preventing too rapid a diminution of the rate of interest, was one which, during the war, ought not to be lost sight of. The advantage, too, which it would hereafter give, in furnishing 100 millions in time of peace, as a fund against the return of hostilities, was one of great moment. This would place an instrument of force in the hands of parliament, which might lead to the most important results. He hardly knew of any thing more desirable than to have such a fund so treasured up, if it could be formed without a great public inconvenience. He was of opinion, that even advantages might be bought too dearly; and any advantages which this plan might offer, would, in his opinion, be too dearly purchased, if they could not be gained without a deviation from justice towards the public creditor. The plan, however, he repeated, was not founded in injustice, nor in any respect an infringement of those laws under which they believed themselves secure. It might be objected by some, that keeping in reserve a large fund to meet the expences of a new war, might be likely to make the government of this country arrogant and ambitious, and therefore have a tendency unnecessarily to plunge us in new contests. On this subject he would say, from long experience and observations, that it would be better for our neighbours to depend on the moderation of this country, than for this country to depend on theirs. He should not think the plan objectionable on this account. If the sums treasured up, were misapplied by the arrogant or ambitious conduct of any government, the blame must fall on the heads of those who misused it, and not on those who put it into their hands for purposes of defence. They did their duty in furnishing the means of preserving the greatness and glory of the country, though those means might be used for the purposes of ambition, rapine, and desolation. He passed over the minute details connected with the subject, as he wished this plan to be considered as a great measure of national policy. The landed proprietors he thought it would relieve from charges which would press heavy upon them at this time, if some such measure were not attempted: to those engaged in trade he looked for support from the advantages it was calculated to afford them; and to the stock-holders, whom it more immediately affected than any other class in the community, he trusted it would be satisfactory, as it gave them greater benefit than the other classes to which he had alluded. He now returned to the question, as to the propriety of bringing forward this measure at the present time. The present period, he thought, offered a favourable opportunity for its being acted upon, the whole of the funded debt of 1786, amounting to near 240,000,000*l.* having been liquidated by the operation of the one per cent. sinking fund. The public had a right to receive the earliest possible benefit from the operation of that fund, for the great exertions they had made to pay off the debt. He repeated the present plan was no infringement of the Act of 1792, and quoted the provisions of that Act to support this assertion. Of all the objections that had been made to his plan, he had heard none, except such as arose from misconceptions, which he had not before fully and deliberately considered. What weight they would have with the Committee it was not for him to say, but in his mind they were not to be compared with the advantages which the

plan presented. With every disposition to give the arguments of his opponents all the importance which belonged to them, he could not think they at all made against his plan. The benefits which would result from it were immediate and certain, the inconveniences apprehended uncertain and remote.

Mr. *Baring* said he entertained much the same view of this question as his hon. friend (Mr. Huskisson), the impression of whose admirable statement on the House, he trusted he should not weaken by any thing which he might take the liberty of urging. When the right hon. the Chancellor of the Exchequer first submitted his plan to the House, he, in common with others, was fearful that, when it was understood, the sinking fund, which had at all times been considered sacred, was about to be touched, a panic would immediately arise in the public mind. This sensation he lent his exertions to suppress, and was happy to find that persons without doors had met the subject without those alarms which he had anticipated. From the strong desire he had entertained that no panic should take place out of doors at an idea of an attack upon the sinking fund, he did, on the first bringing forward of the present Resolutions, state that, whatever might be the future operation of the measure, there was no occasion for indulging any immediate alarm on account of it. Lest what he had said on that occasion however should be construed into an approbation of the present measure, he found himself impelled in this early stage of the proceeding, to set himself right in this respect with the House and the public. What he had then said, in disapprobation of the plan, he was now desirous of renewing—convinced, as he was, that any infringement on the sinking fund was not alone of deep importance to the country, but likely to be attended with the most serious effects. He entreated gentlemen would not be led away with the plausible hope that they would, in reality, be relieved from that burthen of taxes which had been alluded to. Any person who had read the speech which the right hon. the Chancellor of the Exchequer had delivered to the House, and had studied it with coolness and deliberation, must have been convinced, that the plan which had been proposed, would ultimately, if parliament did not interpose to put an end to its existence, bring ruin upon the country. The plan of his right hon. friend the Chancellor of the Exchequer, whatever he might say to the contrary, was the first which had gone the length of touching the sinking fund, notwithstanding it had all along been predicted that it would be broke in upon the moment it was worth touching. We had seen astonishing instances of financial distress, previous to the suspension of the payments in specie by the Bank; but notwithstanding the various distresses which the country had been reduced to, notwithstanding the stoppage of bank payments, and the unparalleled failures that have taken place in the commercial part of the country, the sinking fund had never been attempted to be touched till this year, and no such measure as the present had ever been seriously thought of. Let it not be supposed, however, that the present measure could have the effect of relieving the public from burdens and taxes. It was impossible for any gentleman, or for the public, not to see that the system, if to be persevered in, must lead, he should not say to ruin, for that the House would prevent; but, that it could not ultimately prevent from falling on them burdens which they must bear; and that the transposition of figures from one account to another could not prevent this. He should consider, first, Whether this was or was not a violation of good faith with the public creditor? 2ndly, If the measure could be of any public advantage? In considering the first of these questions, it was not enough to look if there was any possibility of finding an excuse for making this infringement; but whether there was any law by which this fund could at all be touched. The general sense of the public was that the sinking fund is pledged by parliament as a security to the stockholders, and they depend on the justice and good faith of parliament to preserve to them that security; and if it appeared to the public that this sinking fund ought never to be touched, placing it in the light of a contract, the principle of honour ought to be to parliament what the principle of justice is to individuals. If a fund so pledged as a security to another, were in a court of equity, it would be beyond the power of the party pledging it, at all to interfere in the application of the produce of it; and, on this principle, the public having still within their power the direction of this fund pledged by them for particular purposes, the force of ho-

nour ought to be to them what the course of justice would be to a common individual! If the principle of touching the sinking fund was allowed this year, what guarantee had the public against some new proposition of a similar description hereafter? He should not enter into the merits of the measure in 1802, for the sake of inquiring if it went to violate the original purposes of the sinking fund; it was sufficient for the purpose of the present argument, that such was not the intention of the Act of 1802, and that an equivalent was there given. Therefore, though parliament thought proper there to regulate the application of the proceeds of part of the sinking fund, that afforded no argument why they should now regulate it again, and in a very different sense. So much as to the faith pledged to the public creditor. Then, as to the payment of the whole debt within 45 years, the statement of the honourable gentleman (Mr. Huskisson) on that point, it was impossible for him to improve. The right hon. the Chancellor of the Exchequer gave the House and the country a new sinking fund; but on the same principle on which he now touched the old sinking fund, might he come next year and take away whatever part of the additional sinking fund he thought proper. The next question was if this was the proper time for such a measure as the present: the Chancellor of the Exchequer said it was, but he differed from him in that opinion.—The right hon. gentleman stated, and truly, that the state of the sinking fund would at some time or another, require regulation and allotment. But it seemed rather a poor excuse, because something was wanted in the year 1813, to select that as the year for regulating a fund which might require some regulation in the year 1830. But the right hon. gentleman saw something in the present time peculiarly favourable to this measure. It was clear that up to the year 1809, nothing had occurred so peculiarly favourable to an encroachment on the sinking fund, as to render such a measure at all advisable. If he (Mr. Baring) therefore, could shew that 1809 was infinitely more favourable for the carrying into execution such a measure than the present moment, the right hon. gentleman's argument on this head would fall to the ground. From what fund any sum of money for the service of the year was taken was a mere matter of book-keeping at the Treasury; but the real question was what did the country spend, and what funds had she to spend, throwing all her funds into one common stock, and placing her expenditure against her income? Mr. Perceval's proposition in the year 1809 was to break in upon taxes set aside for a particular purpose, only for one year; but such a measure was then deemed inexpedient. Were things, then, so much altered for the better, that what could not then be done for one year, was now justifiable for a number of years? To prove this, the right hon. gentleman must shew that things were in an infinitely more favourable situation now than they were then. To shew that this was far from being the case, he (Mr. Baring) should only state, that in 1809 the surplus of the consolidated fund was upwards of seven millions, with a great difference of expenditure. He was afraid he could not say that for the present year it amounted to one million, so that he might state that this surplus was now absolutely reduced to nothing. The difference between our expences in the year 1809 and those of the present year, he was certain, he did not overstate at an increase of 10 millions, thereby creating a difference as between our expenditure for 1809, and the present year, and our funds to meet that increased expenditure, to the amount of upwards of 17 millions. In the year 1809 the 3 per cents. were at 66½; at present they were so low as 59. These were the changes of circumstances between the year 1809 and the present year: and after it had been found that in the year 1809 an operation similar to the present could not be borne even for a single year, he left it to the country to say, if they were prepared to indulge in these golden dreams of the Chancellor of the Exchequer, and for four years together, to lie down under this sort of expenditure? On whatever fund the money was raised still the question remained, what was the sum which was actually spent. In the year 1807 the excess of the loan unprovided for was 3,800,000*l.* This year it would be fourteen millions and a half, supposing that the loan for the year would be twenty-eight millions. In the year 1807 there was a pledge, that if the loan exceeded the sum mentioned, parliament should provide for the excess by taxes. Now, however, by the plan proposed, whatever excess arose, was to be laid on the sinking fund. The hon. gentleman (Mr. Huskisson) had told the difference between the rate of borrowing the loan for this

year and for the year 1809, and that it would occasion a difference to the amount of ten millions of stock. He (Mr. Baring) declared it to be impossible that we could go on borrowing at this rate. Taking the last nine years, the sum borrowed for the service of the country was, on an average, 9½ millions a year; and for the next nine years, the average would be 25½ millions a year. This fact alone, he contended, must have a strong impression on the mind of the public creditor. If we were for the next nine years to borrow 25½ millions a year above what we were to pay off, with a decreasing sinking fund, whereas for the last nine years, we had only borrowed, on an average, 9½ millions above what we were to pay off, and that, too, with an increasing sinking fund:—was that, he asked, to have no effect on the stockholder? It was impossible, he contended, that this plan should continue without bringing the 3 per cents. to 50! The right hon. gentleman held out as an inducement that the country would be relieved from taxes; but in the year 1809, he opposed such a plan; and what had occurred since to make it necessary to give relief from taxation this year? It was said, that at present the country wanted rest. But it ought to be remembered, that it had suffered no serious taxation since 1806; there had not been any serious tax since 1806, until last year; altogether they did not amount to 800,000*l.*; and on the last year the only heavy tax was that on leather. If it were necessary this year to give relief from taxes, it must be because the country was considered as unable to bear taxes at any time. It was to be considered, that except the *ad valorem* taxes, all taxes had, from the great depreciation in the currency, really declined in value. There were even more and better reasons for the proposed respite in 1809 than at present. No essential relief would be afforded to the country by the respite, at least only a partial relief. To the funded property it was immaterial whether the taxes increased or the debt. By the monied man it would be felt, not in taxes, but in depreciated capital. There might be an increased amount of fictitious capital, and the holders of that might feel it; but it would not be felt by the holders of land, or of any real property, for these would increase in value also. It was then only the holder of nominal property who was most exposed to suffer. If taxes were laid on, the landed interest would find relief in the increased price of productions; but if the debt were increased, the burden was thrown entirely on the funded property, 1-5th, as it was already stated, of the property of the country. But he was confident there was too much good sense and justice in the landed interest for them to wish to throw the burthen on the stockholders; for if the public credit were ruined, on them must fall the burthen. He hoped his right hon. friend would be induced to postpone his motion, and take the chance of political events till next year. The right hon. gentleman had stated that he must raise 1,100,000*l.* and that it would not be very difficult to raise the remainder; he would see that this was not an auspicious moment for his plan, when public credit was low and the revenue fallen off very considerably. But as it was the landed interest that would ultimately, in case of deficiency, have to pay, it was their interest to uphold the credit of the funded or monied interest.

Mr. *Long* said, if he thought the plan of his right hon. friend would tend to weigh down the sinking fund, or that national credit would sustain the slightest shock, he would be the last person living to give his sanction to its adoption.—He believed on the contrary that of the measures which offered themselves for our choice, this presented the greatest advantages, or perhaps, to speak more correctly, was the most free from inconvenience.—There were but three modes by which we could meet the pecuniary exigencies of the year. By raising new permanent taxes—by extending or rendering permanent the war taxes, or, by some arrangement of the sinking fund, which would render either of the other modes unnecessary. He would shortly examine each. When he spoke of the difficulty of raising new permanent taxes, he confessed it excited in his mind more surprise that they had been carried so far, than that it was now found inexpedient to extend them further. He would state to the House the extraordinary progress of their increase. In 1786 the permanent taxes amounted to ten millions, in 1793, when the present war commenced, to fourteen millions, and now they had reached the enormous sum of between thirty-five and thirty-six millions; to which was to be added war taxes of between twenty-two and twenty-three millions, making a total annual increase of war taxes and permanent taxes together, imposed from

1793 to the present time, of forty-four millions. In 1807, lord Henry Petty, for whom he entertained a very high respect, stated, that it would be most advisable to abstain from taxation, from the pressure which further taxes would create upon the people. Those who differed with that noble lord in the wisdom and policy of the financial plan which he then brought forward, of which he was one, at least agreed with him in one point—that it was expedient at that time to desist from taxation. What has taken place since that period? Not, as the hon. gentleman who preceded him had stated, that permanent taxes amounting to 800,000*l.* had been imposed, but that four millions of additional permanent taxes had been laid on, and more than two millions and a half of war taxes had been rendered permanent. If, then, it was thought wise to abstain from further permanent taxation at the period to which he referred, how much stronger did every consideration which then operated upon our minds now impel us to adopt that determination. If persons still doubted, an accurate examination of the produce of the permanent taxes for the last year would afford the strongest ground of conviction. He now came to the war taxes—he did not think they could prudently be carried further at this time. He thought that in 1807 the measure of rendering such of the war taxes permanent as would yield in time of peace as well as in war, was a better mode of raising the supplies than by adopting the plan of lord Henry Petty, and he had so stated his opinion at that time; but this measure had been adopted, we had since rendered permanent near three millions of the war taxes of customs and excise—we could not in prudence go further. The duty upon the tonnage of ships must be abolished upon every principle of sound policy upon the restoration of peace. The duty upon spirits must be lowered; in fact, there remained none of the war duties which would be rendered permanent with any certainty of their yielding in peace, except the property tax, and he had no difficulty of stating it as his decided opinion, that it would be more expedient to continue a part of this tax during peace, than to impose any new taxes, or to extend any other of the war taxes. (Hear, hear.) Under the improvements of his hon. friend the Chancellor of the Exchequer in its collection, this tax had much increased; he thought it capable of still further improvement; and he expected from the amount he had seen of it, to find the revenue arising from this source progressively increasing; but when he considered the expence which would be occasioned by the winding up of such a war as the present, and particularly when he reflected upon the probable amount of our future peace establishment, he thought it would be as impolitic now to extend our system of war taxes as that of permanent taxes: and in a choice of inconveniences, which was perhaps the most just way of describing our situation, he was decidedly of opinion that the remaining mode which presented itself of raising the supplies by means of the sinking fund, was that which under all circumstances it was most advisable to adopt.

It had been said however by his hon. friend (Mr. Huskisson) that the adoption of the proposed plan would be a breach of faith to the stockholder—this he positively denied.—His hon. friend had argued this part of the subject with more ingenuity than soundness, and he had called to his aid the opinions of Mr. Pitt; he (Mr. Long) had at least as good and as frequent opportunities of knowing Mr. Pitt's opinions upon this subject as any person, and those opinions his hon. friend had mistaken, and therefore had mis-stated them. It was Mr. Pitt's decided opinion that if provision was made for paying off any public debt within 45 years, not from any arbitrary period that might be fixed, as had been contended for in the year 1807, but from the period of contracting each debt respectively, the public faith was kept with the stockholder, and the plan of his right hon. friend the Chancellor of the Exchequer provided the means of effecting completely this object. His hon. friend had argued at great length upon the Sinking Fund Act of 1792, but had passed very shortly over that of 1802—he had no doubt upon the construction of either, but if any doubt could even have existed respecting the Act of 1792, the 5th section of the Act of 1802 removed it, and was in effect a complete answer to this part of his hon. friend's speech. [Mr. Long here read the 5th section of Act 42 Geo. 3, c. 71.] He defied his hon. friend to get over this enactment, which expressly provided that measures should be taken upon the creation of public debts so as that they should be redeemed within forty-five years from their creation—and this act was approved and supported by Mr. Pitt. The authority of Mr. Pitt was decidedly against his hon.

friend; and as to the breach of faith, he was convinced that those who carefully examined this subject, would find that the attempt to fix such a stigma upon the present measure was unfounded and preposterous.

With respect to the plan of his hon. friend, offered in opposition to that we were then considering, he was unwilling to suppose he understood it, because he was unwilling to speak with disrespect of that which was suggested by him; but understanding it as he did, it appeared to him fraught with every objection, and particularly, with that very objection which had been made to the proposed plan. His hon. friend would begin by borrowing upon the sinking fund, what then became of his breach of faith to the stockholders? Oh! but he would throw the debt upon the war taxes now, and upon the sinking fund in time of peace: but if it is a breach of faith to borrow upon the sinking fund, it is as much so in time of peace as of war. Then he would impose new war taxes to make good the sum taken from the sinking fund. Upon what articles would he impose them? and who would lend money to the public upon the faith of war taxes only, from which the lender expects a permanent interest? For his hon. friend seemed always to forget that the lender of money looked quite as much to the certain and regular payment of the interest of his debt, as to the sinking fund for the ultimate extinction of it.

In this way it was said we are to go on till the year 1819, when 230,000*l*. a year, imperial annuities fall in, and till 1821 when 1,200,000*l*. of the loan of 1807 will be set free. Could his hon. friend believe that any person would be found to lend a guinea upon such a plan, if plan it could be called. He would not trust himself by characterising such a proposition, but he would only say that if this was the only one which was to be put in competition with that which the House had under its consideration, it was the highest eulogium that could be passed upon the proposition of the Chancellor of the Exchequer.

The plan before us would relieve us from taxation for three years; this was with him a great recommendation, not because we had not the means now of further taxation, which he thought we had if we were obliged to have recourse to it; but because at the end of that period, if the war continued, we could then resort to it with greater effect. If we acted like wise practical statesmen, we should look our situation in the face, we should compare the different resources which presented themselves to us—we must not be dismayed if, after a noble struggle for our independence for the last 20 years, the choice which offered itself was in some degree a choice of difficulties; he so considered it, and having weighed the different modes by which the means could be provided for carrying on the present contest, he was decidedly of opinion that the plan before us was the most free from objection, and as such was entitled to his hearty approbation and support.

Mr. *H. Thornton* had listened to the speech of his hon. friend (Mr. Huskisson) with the utmost attention, as he was anxious to discover whether it contained any errors or mis-statements: but, although the right hon. gentleman opposite had said there were several errors in that speech, he had perceived only one trifling mistake, which was afterwards corrected by the hon. gentleman himself. He was not averse to the opinion, that whatever there was of the sinking fund over and above what was necessary to redeem the national debt in 45 years, ought to be put at the disposal of parliament, and he agreed that there ought to be a progressive increasing sinking fund as the debt increased. The principle of his right hon. friend was very good, as it went to re-establish the principle of the gradual redemption of the debt. This had been the principle of all the sinking funds; and the departure from this principle in 1802 was the cause of all the confusion since, and of all the new plans of finance. But his chief objections arose from his view of the Act of 1802; previous to which our sinking fund was upon a plan that could not well be improved. The good principle laid down in 1792 was altered and departed from in 1802. By that departure we lost more than 870,000*l*. a year, which we should now have at our disposal, more than we have at present, if the Act of 1802 had not taken place. He was not quite sure, however, that this plan was consistent with the national faith; a great objection to it was, that it took a liberty with a certain species of property before that liberty was necessary. There was not yet a too great accumulation of the sinking fund to have it altogether applied to the purposes now in contemplation. He would not say how a lawyer might explain the Act of 1792; but the proper way was to consider how a stockholder would explain it. By the present

plan they might always take present money from the sinking fund, and pay by promises. He felt with the Chancellor of the Exchequer, that it was a time of difficulty and distress; but he hoped he would not press his plan, but wait for one year, till he saw what course events would take; and he doubted not the House would anxiously give its assistance to provide for the present emergency.

The *Chancellor of the Exchequer* said a few words in explanation, and stated that his plan was not intended to interfere with the sinking fund, properly so called.

Mr. *Rose* said, that the Act of 1792 provided for the redemption of all debts in 45 years, and the one per cent. was to be a guarantee for such redemption. He rose in consequence of the speech of the right hon. gentleman who spoke first in the committee, who most emphatically called on the friends of Mr. Pitt to oppose the plan of his right hon. friend. In that character he certainly ranked himself; for he had acted under that great statesman from the very commencement of his (Mr. Rose's) political life; yet he was prepared to plead guilty to an entire approbation of the plan of his right hon. friend (Mr. Vansittart). When his right hon. friend mentioned to him, some months back, his intention of adopting some measure that might meet the exigency of the present moment, he replied, without knowing what his plan was, that he did not think it possible to provide for the necessities of the country, without touching the sinking fund. By the sinking fund established by Mr. Pitt in 1792, 212,000,000*l.* of debt had been liquidated during the most expensive and ruinous war that England ever was engaged in.—Sir R. Walpole had attempted to establish a sinking fund—lord North succeeded in establishing a fund, which, in a peace of about twelve years, paid six millions of debt—while the sinking fund of Mr. Pitt had paid 212 millions, and taken with the amount of war-taxes paid, the sum might be called 400 millions. It had been admitted by an hon. gentleman (Mr. Thornton), that it would be proper and necessary to touch that fund at some time or other; and the only question therefore was, whether the present generation had not done enough for posterity? Whether they were not now at liberty to do something for themselves? And whether it should be done now, or eight years hence, or only a few years before the 20 millions would fall in in the year 1830. For his own part, he had no hesitation in saying, that he conceived the present moment to be one that called for such an application of that fund. With regard to the paper in the hand-writing of Mr. Pitt, alluded to by an hon. member (Mr. Huskisson), he believed he had seen, if not that very paper, at least one of nearly the same description. It was the practice of Mr. Pitt, when meditating upon financial questions, to put down upon paper an outline of possible taxes that might be raised; but he was sure the hon. member would not pretend to say that the paper in question contained the serious and digested opinion of Mr. Pitt; and he remembered that when Mr. Pitt shewed him (Mr. Rose) a paper of that description, he (Mr. Rose) told him he was certain it would never be practicable to raise one half of those possible taxes. But it was the opinion of Mr. Pitt himself that it might be necessary at some period to break in upon the sinking fund: and he could appeal to many persons in that House in proof of his assertion. He saw a stranger below the bar, a member of the other House, who could particularly affirm it. (Order, order!) With respect to what had been said as to breaking faith with the public creditor, he thought it was too much to say, that for the sake of the future, we should oppress the present generation with additional taxes. The system of his right hon. friend he thought to be precisely that which, under all the circumstances, was best calculated to meet the difficulties of the case; it would accomplish a more gradual reduction of the public debt, and it would relieve the present time from taxes, which, to increase, he apprehended, would try the ingenuity of most persons.

Sir *Robert Heron* said, that if ever he were to become a great financier—a thing which he did not think very likely—he should sincerely deprecate such a eulogist as the right hon. gentleman who spoke last, who had paid so ill a compliment to the patriotism of Mr. Pitt, when he had said, that had Mr. Pitt been alive, he would have been satisfied with the operation of that system, which had paid off 212 millions, while a debt of 600 millions had accrued. Of the administration of Mr. Pitt he had never been an admirer; he never approved of the general system of his policy; but he should be wanting in candour and sincerity if he did not ac-

knowledge that the sinking fund was the greatest boon this country ever received from the hands of any minister. With regard to the plan of the right hon. gentleman he conceived it to be founded altogether upon delusion; a very natural prejudice in favour of his own productions had led him to throw over it a veil which concealed its true character and colour. He (the Chancellor of the Exchequer) said it was only a modification of the sinking fund; he thought it a partial suspension of its operation. He confessed he was hostile to the plan of trenching on that fund; and if it was to be allowed that they could not carry on the measures of government, from deficiency of revenue, he hoped, at least, that some system of retrenchment would be adopted. If such a retrenchment could not be effected abroad, lest such a measure might lead to the violation of our good faith with our allies, it certainly might be effected at home, by putting a seasonable check to the erection of barracks and martello towers.

Mr. *Tierney* was not desirous of entering at any length into the merits of the right hon. gentleman's system, because every possible ground which could be taken to expose the danger and absurdity of it, had been taken by his hon. friend opposite to him (Mr. Huskisson). Indeed, such was the able and enlightened view in which his hon. friend had held up the defects of the plan proposed, and such was the perspicuous and impressive manner in which his sentiments were delivered, that he felt he should but weaken the effect of those clear statements and excellent arguments, were he to follow the same course of reasoning. He had, however, to express his hope, that the House would not be pressed to an immediate decision, because the merits of the question only began to be understood; and he was convinced that the speech of his hon. friend (Mr. Huskisson) would be attended by the happiest results to the best interests of the country. What he mainly wished was, that it might have a fair opportunity of working its way there, and with the public. He thought that, if by good fortune, that speech should go forth to the public with any reasonable preservation of its clearness, and argument, they would then come to the discussion of the question at a future day with a very different view of it from what they before possessed. He certainly did not, for his own part, wish to impute to the Chancellor of the Exchequer any design to entangle the finances of the country in such a maze as to render them unintelligible; but he was warranted in asserting, that since the plan now before the Committee was first brought forward, he had not met a single person who understood it thoroughly. As far, however, as he did comprehend it, he considered it as one of the most dangerous systems that had ever been contemplated. In not dividing the House therefore that night, he desired not to have it imputed to him, that he gave his approbation to the measure; for as a Bill would be brought in, founded upon the Resolutions of the Committee, there would be full time to discuss its different merits and defects, and he should certainly oppose it in every stage, and take the sense of parliament upon it. He should, however, then very frankly state, that he entertained very serious doubts whether the system upon which they were called upon to decide, was consistent with the act of parliament. If he did not mistake the question altogether, it appeared to him to be a gross breach of faith; and in order to ascertain if it were or were not so, gentlemen were bound to refer to the Act of 1802. He was one of the very few who did oppose the Act of 1802; and he had the merit, if there were any merit in it, of foreseeing the present mischief. For the last five sessions he had implored the House to take into their consideration the propriety, if not the absolute necessity, of appointing a committee to enquire into the financial state of the country. He had repeatedly urged that they could not go on without some strong measure of finance, and only eight months ago when he expressed that sentiment, the right hon. gentleman opposite, had characterised him as a person of very upright intentions, but with such an unfortunate bias upon all questions of finance, that he absolutely could not see right from wrong. But what was the right hon. gentleman now proposing to do? Precisely to adopt that strong measure which he had anticipated. He thought it, however, a most dangerous plan to lay his hand upon the sinking fund, that great security to the state, and take it. One great objection to the plan could not, in his mind, be surmounted; it was not grounded in the previous investigation or opinion of a Committee, appointed for that purpose; a proceeding not only sanctioned by all precedent, but by common sense, and the very nature of the thing itself. The basis, the true and only

basis, upon which the Resolutions proposed for consideration and decision ought to be founded, was absolutely wanting; and the Committee were called upon for the expression of their conviction without any standard or ground-work. He contended, that no body of men were more hardly dealt with than the stockholders, by the operation of this plan. He would not, he could not, upon his honour, hesitate to say, that it was a complete violation of the respect due on the part of the government and of the country, to public faith. It was, in fact, one of the most fatal measures ever aimed at the prosperity and stability of the British empire. He should not trouble the Committee any longer, but would beg leave most earnestly to recommend a serious consideration of the subject to every member of the House; and he earnestly trusted that no inducement would operate upon their minds to make them believe, that any temporary benefit could justify the breach of public faith which would necessarily follow the adoption of the right hon. gentleman's plan.

Mr. *Ponsonby* expressed his hope, that the Report of the Committee would not be hurried, but that proper time would be given to consider both the principle and operation of the plan. At that moment, he felt himself justified in declaring, that the principle of the measure was most destructive to the best interests and permanent prosperity of the country.

Mr. *W. Fitzgerald* highly approved of the propositions of his right hon. friend, the Chancellor of the Exchequer. He thought the proposed measure could not be fairly called a breach of public faith. In his humble estimation it merited the highest applause, inasmuch as it would very materially relieve the public, and would at the same time do away the necessity of further taxation for the present year.

The Resolutions were then agreed to *seriatim;* and the House having resumed, the Report was ordered to be brought up to-morrow.

HOUSE OF COMMONS.

Friday, March 26.

APOTHECARIES BILL.] Mr. *Calcraft* observed, that an unfounded prejudice of so strong a nature had gone forth to the public on the subject of the Apothecaries Bill, that it was deemed advisable by the friends of the measure, although they were completely satisfied of the general utility with which it was fraught, to withdraw it until the next session of parliament, in the confident expectation that the unfavourable impression which some interested persons had so studiously endeavoured to give of the Bill, might, by that time, be removed. In order to facilitate this desirable event, it might be expedient for him to state, that one great object of the Bill was to ensure such an examination of persons practising the medical profession, as surgeons and apothecaries, as would secure to the public the certainty that henceforward none but intelligent and well educated individuals, would be found in that profession. It was also the object of the Bill to put these gentlemen on a footing on which they had never before been placed by the legislature, by enabling them to charge a fee for their attendance. This part of the Bill was more applicable to gentlemen practising the medical profession in town than in the country. In the country, owing to the acknowledged distance at which his patient might reside, a surgeon or apothecary always charged a fee for his attendance. In London, although every one knew that the residence of a patient might be very distant indeed from that of his surgeon or apothecary, no such fee had hitherto been charged. With respect to the first object of the Bill, those by whom the Bill had been framed had been under great difficulty as to the constitution of the authority before which the future examination of individuals wishing to practise as surgeons and apothecaries was to take place. The College of Physicians and the Society of Surgeons had, unadvisedly, in his opinion, declined to take on themselves this duty. The framers of the Bill were therefore obliged under those circumstances, to get the best authority in their power, and he had no doubt that the authority which the Bill described would have very satisfactorily discharged the trust reposed in it. One additional inducement, however, for the postponement of the Bill to the next session of parliament was, the hope that the chartered and constituted bodies to which be had already alluded, would be induced by that period to come forward and offer their assistance in carrying into effect the great public advantage which the Bill had in contemplation. He confessed his regret that chymists and druggists had been included in the purview of the measure. It had always

been his opinion, that those gentlemen ought to be struck out of it; and if he presented the Bill again in the next session of parliament, it should contain no reference to them whatever, but each respective profession and occupation should stand untrammelled, and on its own merits alone.

On the motion of the hon. gentleman the Bill was then ordered to be read a second time on that day six months.

THE PRINCE REGENT'S ANSWER TO THE ADDRESS OF CONDOLENCE.] Lord George Beresford reported to the House, that his royal highness the Prince Regent, having been attended with their Address of Wednesday last, was pleased to receive the same very graciously, and to give the following Answer:

"I thank you for this loyal Address. I receive the condolence of the House of Commons, on the recent loss I have sustained in the death of the Duchess of Brunswick, as a grateful and acceptable proof of their attachment to myself and to my family."

STATE OF THE FINANCES OF GREAT BRITAIN.] Mr. Lushington appeared at the bar, with the Report of the Committee on the State of the Finances of Great Britain. On the motion that it be brought up,

Mr. *Baring* observed, that the subject had been already so amply discussed in the committee, that he would not trouble the House with many observations at the present moment, on the plan of finance which had been proposed by the right hon. the Chancellor of the Exchequer. It was his intention to acquiesce in the motion for bringing up the Report, with a view of subsequently moving a Resolution, that the House would, early in the next session of parliament, take it into consideration. This mode of proceeding he thought would be more consonant with the general feelings of the House, than if he was to meet the measure with a direct negative, or to call upon them to come to any direct or positive decision. For his own part, as he had already stated, he viewed the plan as pregnant with the most incalculable mischiefs, and sincerely hoped it would never be carried into effect. One great argument that had been urged by the supporters of the new measure was the very popular one, that for a time it would relieve the country from the burthen of additional taxation. The right hon. gentleman must, however, be aware, that a very small increase of taxation, indeed, would enable the existing system to be continued for another twelvemonth; and he (Mr. Baring) was persuaded that parliament would not object to such an arrangement being made, as would leave the new measure in an effective and operating state at the end of the year, if, at that period, it should be deemed advisable to adopt it. Much rather would he see the country exposed at the present crisis, however loaded it might be with burthens, to have those burthens partially increased, than to have a system tolerated, which would not alone tend to destroy the faith in public credit, but went to excite universal and lasting discontent. The right hon. gentleman (the Chancellor of the Exchequer) had told the House, that whatever might be the event of his proposition, he must raise new taxes to the amount of 1,100,000*l.* Why not, he would ask, extend this sum to the existing wants of the nation, and abandon a system which could lead to no good end? The plan proposed by the right hon. gentleman, certainly involved some of the most important considerations that had, for many years, been submitted to the deliberative wisdom of parliament. It tended to destroy that system of sinking fund, which had for so many years been the theme of general admiration. It had been loudly condemned last night by an hon. gentleman (Mr. Huskisson), intimately conversant with financial subjects, in one of the most able and luminous speeches on the subject, that had ever been delivered within the walls of that House. Under all these circumstances, it was most desirable that the public should feel that parliament did not take any rash and hasty step. This was more particularly incumbent upon them at the present time, because the measure now proposed was not founded on the report of any committee above stairs, as had invariably been the case (with the single exception of that of 1802) with former financial propositions to parliament, all of which (with the exception he had stated) had, previously to their adoption by the House, been referred to the examination of a select committee. This circumstance alone, was, he thought, a sufficient inducement to lead the House to put off the consideration of the subject for another year. As an additional reason for granting the delay, which he wished for, he begged leave to observe,

that the present year was peculiarly critical. It evidently teemed with extraordinary events. On the nature of those events would depend the probability of a suspension, or a further prosecution of the war. If, fortunately, the success which our allies had recently enjoyed, should continue, or, on the other hand, unfortunately, France should regain her ascendency in Europe—in either case, the postponement of the adoption of the new plan for another year would give parliament a chance of entering into the consideration of the subject, with a much more extended view of what would be the probable future prospects of the country. As he had already stated, he should not press a negative against the Resolutions, but should simply move, when the Report was brought up, for their further consideration next session.

Mr. *Rose* could resist urging, even in that stage of the proceeding, his anxious intreaty to his right hon. friend not to comply with the proposition of the hon. gentleman, or defer his plan beyond the present moment. He positively denied that the new measure involved in it the encroachment on the sinking fund which had been described. By the existing law the national debt was to be paid off in 45 years. The proposition of his right hon. friend in no way tended to infringe this law; on the contrary it provided for the paying off of every loan in a much shorter time. The House had heard his right hon. friend's plan, and they had last night heard the plan of his hon. friend (Mr. Huskisson), and he was persuaded that no gentleman could have any doubt on their comparative merits. The plan proposed by his right hon. friend, while most advantageous in other respects, relieved the public, for a stated period, from any additional burden of taxation. That of his hon. friend was visionary and uncertain, and could not be put in competition, even if successful, with a system which promised so great a permanent advantage to the country. He had no difficulty in saying that his right hon. friend had put his system in the most disadvantageous points of view in the tables which he had submitted to the House, and was convinced in case of any fortunate termination to present difficulties, that the benefits which would be derived by the country were much greater than had been anticipated. Contemplating also the large sum which would suddenly become applicable to the redemption of the national debt in 1830, it provided in lieu of it a gradual reduction of the debt; and actually accelerated the payment of the debt with a rapidity which the existing system did not possess. Under all these circumstances, he contended that the delay of a year would be highly injurious. If, at the end of the year, the circumstances of Europe should be such as to warrant a reduction of the expenditure of the country, the advantages attendant on the immediate adoption of his right hon. friend's proposition would be materially increased by that event.

Mr. *Huskisson* wished to remove several misconceptions that existed with respect to, not his plan, for it would be too presumptuous to call it so, but the outline of a financial arrangement which he had last night taken the liberty to sketch. What he had stated was, that he would adopt so much of his right hon. friend's proposition as to allow the excess of the charges on the loan of this year and of subsequent years to be thrown on the sinking fund; proposing, at the same time, that what might be so deducted from the sinking fund should be replaced out of the war-taxes, during the continuance of the war, in order that no diminution might take place in the amount of the sinking fund, and thus no breach of faith occur towards the public creditor. During the continuance of war, it would, he was persuaded, be most unsafe and impolitic to weaken the effect of the operation of the sinking fund; but after the conclusion of a peace, such modifications and arrangements might be made with respect to the sinking fund as might bring in aid of the public service the great sum which at the period alluded to would fall in. In point of efficacy there was no difference between the plan he had suggested, and that which had been proposed by his right hon. friend, except that the former had the advantages of policy, expediency, and justice, while the latter was totally without one good quality to recommend it. In the present state of the country, nothing could, in his opinion, be more inconsistent with wisdom or propriety, than to lay hands on the sinking fund. This position he had already endeavoured, at considerable length, to maintain; and to the arguments he had urged nothing was opposed but broad and naked assertions.

Mr. *Grenfell* expressed himself in favour of the right hon. gentleman's new financial proposition. If he could bring him-

self to believe that the plan proposed by the Chancellor of the Exchequer would tend to weaken public faith, he should feel not at all inclined to give it the meed of his approbation; viewing it as he did, however, in a light totally different, he felt disposed to give it his concurrence. One strong reason for supporting it was, that the stockholders, who must be allowed to be good judges on the subject, did not seem to conceive that their interests were at all likely to be affected by the measure, for since the origin of the proposition there had been no depression of the funds; and any one who went on the stock exchange would hear nothing of the danger and bad faith of invading the sinking fund, so much stress on which had been laid in that House. He was, indeed, firmly persuaded that the new plan involved no breach of faith whatever. He would vote for it on two grounds—the first, because it would suspend, for a time at least, the necessity of additional taxation, and would have the good effect of diminishing those taxes which were already almost too burdensome for the middle ranks of society to bear: and the second, because it appeared clearly from the tables of the right hon. gentleman, that, whereas, by the existing system the redemption of the debt could not be effected before the year 1845, by the proposed system it might take place by the year 1837. Upon the whole, he thought it a plan which, at the present awful crisis, was the most wise and politic that could be adopted.

Mr. *J. Smith* agreed with the sentiments delivered by the hon. gentleman who had spoken last, although he could not in all particulars approve of the plan which had been proposed. He confessed that he had always thought the sinking fund held out a temptation which the ministers and the nation could not long resist. In the event of a peace it could not be expected that the existing system could long go on, or that the public would see without dissatisfaction the appropriation of so large a sum, as the sinking fund would then afford, to buy up the debt, while the country continued to groan under heavy and almost intolerable burdens. It appeared to him, that it would be much more expedient to make the alteration at the present moment than at the period which he had just anticipated. He also thought, that under the circumstances of the country and of Europe, he should not be justified in refusing his assent to a measure which would render the addition of taxes for the next four years unnecessary. It had been contended that the proposition included a breach of faith. To him it seemed that nothing could fairly be stated to be a breach of faith where no one was deceived; and who could have expected that the sinking fund would be permitted to go on to its ultimate object? Besides, the practical effect sufficiently evinced that the proposed measure involved no injurious breach of faith towards the public creditor. What had been the operation of the right hon. gentleman's developement of his plan, and what had been the operation of the hon. gentleman's remarks upon it last night?—why, that the funds remained precisely in the state in which they were before either of those events. He thought the declaration of the right hon. the Chancellor of the Exchequer, and of his right hon. friend near him (Mr. Rose), that the power of taxation was almost at an end, and that it would not be safe to push it much further, a manly declaration. He was not afraid to hear it said that this plan proceeded from necessity, and that taxation had arrived at a pitch beyond which it could not be pushed. Such language, while it was consistent with truth, evinced the candour and independence of those who uttered it. It was a fact too well known, that the middle classes of life were scarce able to move under those oppressive burdens by which they had been so long weighed down, but which they had supported with such patience and magnanimity; and this being the case, any plan which tended to lighten those burdens, he thought deserving of the highest commendations. By giving his vote in favour of the proposed change in the financial system of the country, he thought he would be best supporting the interests of those whom he had the honour to represent. We ought not to be afraid of looking our difficulties in the face, for that was the only way of meeting them with effect. Whoever had the opportunity of observing the condition of the middle and lower classes of society in this country, must concur in the opinion that taxation could not be carried much further. In his opinion, additional taxation to any great amount would tend to diminish and not to increase the revenue; and this consideration afforded another view of the subject, as it affected the stockholder, whose greatest apprehension, he had no

doubt, was not of a breach of faith by rendering the sinking fund in some degree available to the service of the state, but of the insecurity in the payment of the interest of his stock, which any material deterioration of the revenue by improvident taxation would cause. On the whole he felt that he should be guilty of a great dereliction of his public duty, if he refused to support the proposed plan.

Sir *Robert Peel* observed, that he had perhaps still better opportunities of knowing the condition of the lower orders in this country, carrying on trade, than the hon. gentleman who had just sat down: the pressure on them was excessive. The measures which had been adopted by Buonaparté in hostility to our commerce had hitherto been but too effective in depressing it. At the present moment, however, better days appeared to be in prospect: the foreign markets were beginning to open—the spirit of commercial men was reviving, although the enterprising exertions of our manufacturers must necessarily be crippled for some time by the loss of their capital. At such a critical instant, to increase taxation would, indeed, be highly imprudent. The substitution of the system proposed by the right hon. the Chancellor of the Exchequer, could give no national alarm; on the contrary, it was calculated to give additional strength and energy to the nation. With respect to the public debt, it was a subject which he had deeply considered—as deeply perhaps as most men; and he really did not think that the country owed more at that moment than it had owed ten or twelve years ago; for all that we owed among ourselves was national property. In his opinion, our situation at present was very promising. Our resources were abundant provided we husbanded them. The industry of the country was animating, and although a large stockholder himself, he should be sorry to witness any alteration in the new proposition, convinced as he was, that the taxation that must then ensue would again lay that industry lifeless.

Mr. *Hammersley* contended, that all who had any knowledge of the origin and disposition of the sinking fund, did entertain a belief that it was to have been kept inviolate, as a security for the redemption of the public debt. That security was infringed by the plan proposed by the right hon. gentleman. It was true, that the right hon. gentleman said, that at present he would touch only the interest of that fund, but his speech contained a pretty clear admission, that the time might come when he would think it expedient to encroach upon the principal. For his part, he warmly recommended raising the supplies, if possible, within the year. The best writers on political economy had observed, that when the expences of a war should be defrayed by supplies raised within the year, war would be less wantonly undertaken and less pertinaciously persevered in. Our resources were by no means exhausted: and, in his opinion, it would be much better to raise additional taxes for the exigency of the state, than to break in upon that which ought to be held sacred—the sinking fund. The right hon. gentleman only anticipated inconvenience; he did not actually experience any. A year might produce very favourable changes in the aspect of public affairs. If we should be blessed with peace within that period, we might remedy all our evils without destroying that valuable institution from which we had already derived so many advantages, and for the preservation of which, among other securities, we had the sanction of the Speaker's high name and authority.

Mr. *Hawthorne* admitted, that if the new proposition was a breach of public faith, it ought to be instantly abandoned. He was sure, that as on the one hand his right hon. friend would have been the last man to introduce the measure into parliament, if he conceived it to be a breach of faith, so he would be the first man to relinquish it, if it could be proved to be so. In order to set that question at rest, the hon. gentleman entered into an examination of the Act of 1792, and eventually drew the unequivocal conclusion, that the Chancellor of the Exchequer's proposition was wholly exempt from the violation of public faith imputed to it.

Mr. *Lubbock* objected to the plan. He allowed, that it might be expedient for the public service, at some time or other to touch the sinking fund. The question was, what would be the most fitting time? He thought it would be hazardous to touch it during the war, when it was necessary to raise large loans, the terms of which must of necessity be advantageous or disadvantageous to the public, according to the price of stocks at the time they were contracted. He contended also, that the plan involved a breach of faith; and, in support of this opinion, referred to Mr.

Pitt's opinion, which was decidedly against any deviation from the sinking fund system. Mr. Pitt would have rather laid on great additional taxes than touched that fund. He thought it ought to be referred to a committee, to consider whether the present plan was the best that could be adopted under existing circumstances, or whether something better might not be devised. It would appear to be much better, if the loan of the year necessarily exceeded what was convenient, to provide for the interest by fresh taxes, and to throw the interest of this excess for the present year upon the sinking fund, without adopting this as a general system to be permanently acted upon.

The motion was then agreed to, and Mr. Lushington brought up the Report. On the motion of the Chancellor of the Exchequer, that the report be now read,

Mr. *Baring* said, that notwithstanding all the facetious allusions which had been made to the sinking fund of Buonaparté, there would be (if the propositions before them were acceded to) good reason to assert that there would not be greater security for a sinking fund under the direction of a British parliament, than under the government of Napoleon. As he retained all his objections to the propositions before them, he should move as an amendment that the Report be taken into consideration in the next session of parliament.

Lord *Castlereagh* repelled the charge of the hon. gentleman, against which he thought it his duty to enter his entire and indignant protest. Such an observation he would rather have expected from another quarter, than from the hon. gentleman. His right hon. friend was not afraid to rest his plan on the justice of parliament and the sound understanding of the people of England, who, he was sure, would not be diverted by the doctrine of the hon. gentleman, in derogation of the proposition of his right hon. friend, founded as it was on the soundest principles of good faith to the public creditor. The people would exercise their own judgments on what good faith required, and they would not conclude that all faith was abandoned, because the hon. gentleman, and those who thought with him, made distorted statements, and founded a system of erroneous reasoning upon them.

Mr. *Tierney* said, that he did not know whether the understanding of his hon. friend was so distorted as the noble lord had assumed, but he thought the noble lord might have saved himself some portion of that indignation and warmth with which he had risen in defence of the plan of the right hon. Chancellor of the Exchequer. Had the noble lord substituted argument for censure it would have been something better. There was, no doubt, much authority annexed to the opinion of his hon. friend (Mr. Baring) of which the noble lord seemed duly sensible; and he was happy to see his own opinions enforced by the weight of his authority, and still more by the weight of his arguments. When the question affected the security of the public funds, he, who had so great an interest in those funds, might be allowed freely to express his feelings, and those of that great body whom he might be considered as in some manner representing; and he was very glad that a man, of his weight and authority, was found to face that measure which might produce such serious injury to the public creditor. But what did his hon. friend say?—that if the plan of the right hon. gentleman was defended by no better arguments than those that he had heard, that there was nothing in which Buonaparté's sinking fund might not be compared with that which would exist in this country. He had no hesitation in saying so himself—he was forced to it: what ground did this plan stand upon? The three right hon. gentlemen opposite, who had last night spoken in its favour, had each taken a ground of defence not only different, but contradictory. The Chancellor of the Exchequer, in the first place, desired it to be understood that the principle upon which it rested, was, that you might do whatever you pleased with the sinking fund, provided the loans were redeemed within 45 years from the period they were contracted. Then came the other right hon. gentleman (Mr. Rose), the Nestor of the Treasury-bench, the depository of Mr. Pitt's secrets, the keeper of his last dying words, and what did he say? That it was the opinion of that great statesman, that the sinking fund should not be touched until the debt was redeemed. Another right hon. gentleman (Mr. Long) said, that necessity alone was the ground of the present plan. All those gentlemen seemed to support their measure upon different arguments, and yet all of them appeared to rest on the authority of Mr. Pitt. It was, however somewhat extraordinary, that whenever those gentlemen, who professed to be the depositaries of Mr. Pitt's opinions, came to explain them, they were

almost always found contradicting one another. If the argument rested merely on the future good which might result from breaking in upon the sinking fund now, it was exactly upon such an argument that two-thirds of the national debt of France was taken away at once. The difference, however, appeared to be, that we were now going to take a whole, and not a part—(Hear, hear! from the ministerial benches.)—The gentlemen on the other side seemed surprised at the assertion, but had they never urged the same arguments against innovation, that the breaking in upon an old system, was little different from its destruction? When they heard arguments of this kind, he would ask whether it was too much for his hon. friend to say what he did? His hon. friend did not mean to institute a comparison between the resources of Great Britain and France, or to depreciate the former; but what he meant was, to warn the House against the example of France. On the same pretext as that now held forth by the right hon. gentleman, he repeated, two-thirds of the national debt of France had been swept off. Did the right hon. gentleman mean to say that the uninterrupted usage of the last 28 years could afford a sufficient ground for his present innovations? He (Mr. Tierney) had charged the plan of 1802 with the same defects which the present possessed; but the right hon. gentleman now said, that provided the loans were redeemed in 45 years, that was all they were to expect. The accumulated compound interest was what he (Mr. Tierney) looked to; and in order to satisfy the public creditor on this head, the right hon. gentleman says—"I stop all accumulation now, it is true—I take off the one per cent. now, but I will give you 2 or 3 per cent. hereafter." As for saying that you might take from the sinking fund for the next ten years, and add to it afterwards, what was that to the present holders of stock? This might be a very satisfactory mode of reasoning to the right hon. gentleman; but he would furnish him with a familiar illustration, to show its fallacy: suppose he heard that a person undertook to convey another to York in 48 hours, and in the fulfilment of his engagement took him as far as Grantham in a waggon, and sent him to York on a racehorse—the person so treated might well exclaim, "Why, I wanted to go no farther than Grantham!" Thus it was with the plan of the right hon gentleman, for the public creditor might happen to have no longer an interest in the funds when his improvement should take place; if the proposition was to take away part of the security and the value of their stock for the next ten years, and to add to it afterwards, the holder might reply, that he had never intended to be a stockholder for more than ten years. He had embarked in the loans, on the security that the sinking fund would never be broken in upon. On the compound interest the public creditor had a right to rely; and all he could say was, that he saw no difference between the arguments of the right hon. gentleman and those of Buonaparté.—The latter took away two-thirds of the national debt, the other was in a fair way for taking away the whole! Could not the hon. gentlemen comprehend, that an infraction in the first instance was what generally produced the most fatal effects? Had they never heard, from the right hon. gentleman himself, any cautions against giving way in small things? As many gentlemen were in the habits of stating what Mr. Pitt's sentiments were upon matters of finance, he would state, that he believed Mr. Pitt would not have agreed to the present measure if he was now alive. He believed that he did not approve of the Bill of 1802. In making this assertion, he knew very well that he should have memoranda and minutes arrayed against him by those who enjoyed the confidence of that distinguished person; but his only comfort was, that those who possessed the private ear of Mr. Pitt, were in the habit of constantly contradicing each other.—He acknowledged that Mr. Pitt did certainly support the plan of 1802 at first, yet when he (Mr. T.) in opposing it signified his intention of making a stand against it, as a violation of public faith, Mr. Pitt sent to him message after message to request that he would postpone it, as he was desirous of attending, and could not conveniently do so on the day appointed. The business then lingered on for a considerable time without any discussion taking place, and at last Mr. Addington called on him, and said that as the weather had become so extremely fine Mr. Pitt would probably ride out, and could not attend to finance any longer.—The impression produced on his mind by this intimation was, that Mr. Pitt thought a ride much better than the plan of 1802.—Mr. Pitt, then, did not attend at the discussion of the Bill; and he, to avoid desultory debates, had then, as he

wished now to do, reserved his observations until the stage fixed for discussion. By Mr. Pitt's not attending the discussion, he did believe, that on the farther consideration of the Bill he found it to be of a nature that he did not wish to defend. As he had left the administration with the income tax mortgaged to the amount of 56 millions, it was certainly incumbent upon him to countenance Mr. Addington in any strong measure of finance which he could give his approbation to. But it seemed that having set Mr. Addington off on his journey, he left him there, as he clearly saw the mischief that would ensue, and withdrew from it. Then came this second plan with no other authority than the three contradictory arguments of the three hon. gentlemen on the Treasury-bench. His hon. friend had thought it his duty to warn the House, and he agreed with him in his views, and hoped the House would not entertain the proposition. As to the funds not having fallen in consequence of the proposal of the scheme, a circumstance that might appear to stand in the way of his argument, he believed that might be owing, in a great measure, to the stockholders not believing it probable that such a violation of faith could be sanctioned by parliament. They trusted to the good sense of parliament that they would not allow such abominable nonsense and fraud to obtain their sanction. Here was a system which went to alter the whole constitution of the sinking fund; but there was no effect produced on it for the present year, which sufficiently accounted for the state of the funds. Besides, the extraordinary good news which had arrived was another reason, and, in this point of view, it struck him, that as the stocks had not risen, they might be considered as having fallen. He begged pardon for having trespassed so long on the time of the House, but his only object was to defend his hon. friend (Mr. Baring) against the outrageous indignation which was manifested by the noble lord, and which certainly was an excellent substitute for argument, which he had altogether declined.

The *Chancellor of the Exchequer* said, that he should not be tempted to enter into a desultory debate by what had fallen from the right hon. gentleman, who seemed to have taken an extraordinary method of shewing that he did not like this mode of discussion. From the course of argument into which he had entered, comparing the funds of England with those of France, he (the Chancellor of the Exchequer) was induced to believe that the right hon. gentleman had occupied the morning in reading over one of his old speeches for the present occasion. He denied that the principle of his plan was such as described by the right hon. gentleman; on the contrary, it proceeded entirely on the principle of successive redemption, and though he had thought himself obliged to show that sufficient provision was made for the redemption in 45 years, that formed no part of the ground upon which the plan proceeded. His principle, he had again to state, was to substitute successive to simultaneous redemption, and that he had only shown, as a collateral circumstance, that the provisions of the Act of 1792, which secured the reduction of the national debt in 45 years, would be complied with. This was not the first alteration in the sinking fund system, witness the Acts of 1798 and 1800, which established new regulations on the subject. Mr. Pitt had first proposed to Mr. Addington that system which ripened into the plan of 1802, and he had also proposed that on the peace establishment, the sinking fund should be reduced in a manner similar to the present, which he could not have done if he thought it inconsistent with public faith. The right hon. gentleman supposed that the stockholders did not believe the Bill would pass; he believed, however, that the first division which should take place on the subject would convince them that it was likely to pass, and yet would not occasion the alarm apprehended. If the favourable state of the stocks arose from the causes stated by the right hon. gentleman, they should soon see whether a depreciation would take place when the sense of the House was taken upon the measure. The faith of the stockholders must be shaken, too, he should think, by the circumstance that the right hon. gentleman did not think proper to divide the House last night. The proposed postponement, he must oppose, as it united with singular felicity all the objections both to the adoption and rejection of the measure. The alarm to the public creditor would be the same, and the good effects on the public mind, from the remission of taxes for four years, would not have place.

Mr. *Rose* entered into an explanation of what he said last night, and denied that he had asserted it to be Mr. Pitt's opinion that the principle of the Act of 1792 was

the paying off of the debt in 45 years; on the contrary, he had stated it to be his own opinion; nor did he contradict what his right hon. friend the Chancellor of the Exchequer had said, but mentioned his being in possession of a paper containing some plan for making the income equal to the expenditure, with a loose statement of taxes for six or seven years, as a memorandum to refer to. He had never made use of Mr. Pitt's name as an authority, nor at any time, except to set right any mistake that had a reference to his name.

Mr. *Grenfell* denied that the stockholders considered the present plan as a breach of public faith, or an invasion of property.

Mr. *Long* professed as much attachment and veneration for the good faith of the public, as any honourable gentleman could have, but no violation was attempted by the measure now under consideration. Good policy, as well as strict justice, required that every pledge given to the public creditor, should be scrupulously maintained, but all the attempts to prove this to be a breach of faith, were fertile in the extreme; and all the ingenuity and industry that had been employed, had failed to impress upon the mind of one rational man either in the city of London, or in any part of the kingdom, any alarm for the public credit of the nation. He did not understand the view which some persons took of the subject, in supposing the public creditor alone was interested in the Sinking Fund Act; he thought the public quite as much interested in them upon the fair and enlarged view of the subject. Would the public creditor have been satisfied to have stood upon these acts alone? Certainly not; the public had often interposed in his favour, and given him boons to which he had no positive right; he alluded to the land tax redemption, and the war taxes. By the first measure twenty four millions of debt had been paid off, and by the last three hundred millions had been raised, which would otherwise have encreased our debt, and in so doing materially affected the interest of the public creditor. He was surprised at the proposition of his right hon. friend (Mr. Tierney). It was absurd to talk of a committee to construe those acts of parliament, which every body was capable of understanding; he considered the motion therefore as meaning delay, and nothing else. If he had any better plan to propose, he wished he would bring it forward; he had long considered the subject, and if he proposed nothing it would only prove that he had found it much easier to object than to suggest. In 1807 many plans of finance were before the House; now, none but that of the Chancellor of the Exchequer; for that of his hon. friend (Mr. Huskisson) he trusted was abandoned. That hon. gentleman wished he could entrap his right hon. friend into a plan, but he was too wary to commit himself. If, however, these able financiers satisfied themselves with condemning what was proposed, the House would be convinced with him that they had nothing more advantageous to offer, and with that conviction he should support the proposition of the Chancellor of the Exchequer, and vote against the motion for delay.

Mr. *Tierney* read an extract from one of the clauses of the Act of 1802, in which it was provided, that the one per cent. should continue to accumulate till the debt was redeemed. He believed that no lawyer could contend that the proposed measure was not a violation of that law; and he asked the right hon. gentleman, what was the meaning of this? They undertook, at all events, that the debt should be paid off in 45 years, and that the stockholder should have the benefit in the interim of the increasing value of the stock.

Mr. *Baring* observed in reply, that he was sorry that any expressions he had made use of in giving his opinion upon the present plan, should have given offence. It certainly was very far from his intention. His object in putting off the consideration of the plan for the present was, that the state of things might be soon so much altered, as to make it unnecessary eventually to adopt a system which, in the opinion of many rational and well-informed persons, was a violation of public credit.

The Amendment was then negatived without a division, after which the Report was read and agreed to, and a Bill ordered in pursuance thereof. The Resolutions were as follow:

1. Resolved, "That the total capital of the funded debt of Great Britain, in perpetual redeemable annuities, on the 5th day of January 1786, was 238,231,248*l.* 5*s.* 2¼*d.* that provision was made for the gradual reduction thereof, by an Act passed in the same year; and that further provision has been made, by several Acts since passed, for the more effectual reduction of the said

debt, and of the public debt since contracted.

2. "That, by virtue of the said Acts, the sum of 238,350,143*l.* 18*s.* 1*d.* exceeding the said sum of 238,231,248*l.* 5*s.* 2¼*d.* by 118,895*l.* 12*s.* 10¾*d.* had, on or before the 1st day of March 1813, been actually purchased by the commissioners for the reduction of the national debt, or transferred to the said commissioners for the redemption of land tax, or for the purchase of life annuities.

3. "That it is expedient now to declare, that a sum of capital stock equal to the total capital of the public debt, in perpetual redeemable annuities, existing on the said 5th day of January 1786, hath been purchased or transferred as aforesaid; and so soon as further sums of the public debt shall have been so purchased or transferred, making in the whole an amount of annual charge of the public debt so purchased or transferred, equal to the whole annual charge of the public debt, in perpetual redeemable annuities, existing on the said 5th day of January 1786, to declare further that an amount of public debt equal to the whole of such capital and charge of the public debt, existing on the said 5th day of January 1786, hath been satisfied and discharged: and that, in like manner, an amount of public debt equal to the capital and charge of every loan contracted since the said 5th day of January 1786, shall successively, and in its proper order, be deemed and declared to be wholly satisfied and discharged when and as soon as a further amount of capital stock, not less than the capital of such loan, in perpetual redeemable annuities, and producing an interest equal to the dividends thereupon, shall be so redeemed or transferred.

4. "That, after such declaration as aforesaid, the capital stock purchased by the said commissioners, and standing in their names, in the books of the Governor and Company of the Bank of England and of the South Sea Company, shall from time to time be cancelled, as if the same had been transferred for the redemption of land tax, at such times and in such proportions, not exceeding the amount of debt so declared to be satisfied and discharged, after reserving thereout any sum or sums necessary to make provision for the payment of all life annuities chargeable upon the sinking fund of Great Britain, as shall be directed by any act or acts of parliament to be passed for such purpose; in order to make provision for the charge of any loan or loans thereafter to be contracted upon the same funds or securities, as are chargeable with the said stock so declared to be satisfied and redeemed.

5. "That, in order more effectually to secure the redemption of the public debt, conformably to the provisions of the Acts of the 32d and 42d years of his present Majesty, it is expedient to enact that all sums granted for the reduction thereof, by the several Acts aforesaid, should be further continued, and made applicable to the reduction of all public debt now existing, or which may be hereafter contracted during the present war.

6. "That, in order to carry into effect the provisions of the said Acts of the 32d and 42d of the King, for redeeming every part of the national debt within the period of 45 years from the time of its creation, it is also expedient, that in future, whenever the amount of the sum to be raised by loan, or by any other addition to the public funded debt, shall, in any year, exceed the sum estimated to be applicable, in the same year, to the reduction of the public debt, an annual sum, equal to one half of the interest of the excess of the said loan, or other addition beyond the sum so estimated to be applicable, shall be set apart out of the monies composing the consolidated fund of Great Britain, and shall be issued at the receipt of the Exchequer to the governor and company of the Bank of England, to be by them placed to the account of the Commissioners for the reduction of the national debt, and upon the remainder of such loan, or other addition, the annual sum of one per cent. on the capital of all perpetual redeemable annuities created in respect thereof, according to the provisions of the said Act of the 32d year of his present Majesty.

7. "That, in order to prevent the increase of the public debt, by means of exchequer bills annually renewed, or other unfunded government securities, bearing interest, it is expedient that, on the 5th day of January in every year, an account be taken of all such exchequer bills, and other government securities, outstanding and charged upon funds not deemed capable of making good the same, within one year from such 5th day of January, and that a sum equal to one per cent. thereupon be granted out of the supplies of such year to the said commissioners for the reduction of the national debt.

8. "That, for the purpose of giving effect to the above Resolutions, it is expedient that the said Act, passed in the 42d year of his present Majesty, be amended.

9. "That it is expedient to make provision, that an annual sum of 867,965*l.* being equal to one per cent. on the capital stock created in respect of several loans raised by virtue of divers Acts passed in the 38th, 39th, and 40th and 42d years of his present Majesty, and for the interest and charges of which provision was made in the said 42d year of his Majesty, shall be set apart out of the monies composing the consolidated fund of Great Britain, and shall be issued at the receipt of the Exchequer to the governor and company of the bank of England, to be by them issued to the commissioners for the reduction of the national debt.

10. "That it is expedient to make further provision for the more effectual and speedy redemption of the land tax."

PRIVATELY STEALING IN SHOPS BILL.] Sir *S. Romilly* moved the third reading of the Bill for more effectually preventing the crime of stealing privately in shops, warehouses, coach-houses and stables.

The *Attorney General* said, that as the opposition of the Bill was reserved to the present stage, he now rose to express his disapprobation to it, and hoped his not having previously opposed it would not be construed into any admission that he had ever been inclined to give it his eventual support. He was confidently assured, that this species of crime had increased, and that there were daily depredations committed in the shops of the metropolis. He therefore agreed with the preamble of the present Bill, in stating the prevalence of the crime. The only question was, what was the proper remedy to be applied? He did not agree in the present proposition, which went on the supposition of justice being defeated by the severity of the present law. Without entering fully into the ground of the Bill, he had the authority of those most versed in the criminal law, that it would be found inadequate: all the judges were of that opinion, and so were the Recorder and Common Serjeant, who were so much versed in the state of crimes in London. Their opinions, he confessed, weighed very strongly with him in considering the subject. If the severity of the law did not operate in practice, it did *in terrorem*. It was not unnatural to suppose that the law operated upon offenders or those disposed to commit offences to at least as great a degree, as upon prosecutors or juries. The abstinence from prosecution ought to be attributed to the expence and trouble that must be incurred, and not solely to a disinclination to enforce the penalty of the statute.—Instead of stimulating prosecution, which was one of the professed objects of this measure, it appeared to him to be rather calculated to discourage it, since it repealed that part of the old statute which gave to prosecutors, in case of conviction, a certificate, exempting them from parochial duties—a consideration of no mean importance to many classes of society. He had already alluded to great and eminent authority, opposed to the arguments by which his hon. and learned friend supported his Bill, and he would now appeal to experience, as furnishing additional objections to it. One Bill had passed into a law, the Act taking away the capital part of the punishment from the offence of stealing from persons privately. What then was the result of this alteration in the law? He had the strongest assurances from those immediately concerned in the administration of the criminal law, that the number of offences of that description had greatly increased since the passing of that Act. He understood that it was now openly committed in the face of day, that the streets were infested by gangs of thieves, and that children were now regularly trained to the commission of such offences.—To what could this increase of criminality be imputed but to the comparative mildness of the punishment of transportation, which, however severely it might be felt in a few cases, had but small terrors for the desperate offender. He recollected a recent instance which might show that he was not incorrect in this opinion. A man had been convicted, and was recognised as a person who had been long engaged in the commission of offences, and whose wife had been previously transported to Botany Bay. This man naturally solicited to be sent out there likewise, desiring nothing better than to be removed to a distance from his own country, at the expence of government. Upon these principles, and under the circumstances which he had stated, knowing that the opinions of the judges were in opposition to the measure, he must, however high his respect for the authority of his hon. and learned friend, give his vote against the third reading.

Mr. *C. Smith* said a few words against the Bill.

Mr. *Abercromby* observed, that if the present were not a new parliament he should content himself with appealing to the consistency of the House, and reminding them that this measure had twice received the sanction of a former House of Commons. He begged leave however now to offer a very short statement of what he conceived the question under discussion really to involve, and his reasons for supporting the measure. The first point that claimed attention was the discrepancy between the law and the practice, the consequence of which discrepancy was the production of various inconveniences. Among these, the principal undoubtedly was, the necessity under which judges and juries so frequently laboured of committing what had been called pious perjuries, because they could not in conscience and humanity enforce the execution of the law in particular cases. The law laid down one course of proceeding, but the practice presented a result of a very different nature.—Surely no person would contend that such a system as this was proper to exist. If it were suffered, it ought to be clearly proved, that by an alteration of it, some great practical evil would be occasioned. The fundamental principle of his hon. and learned friend's Bill was, that a punishment certainly and rapidly overtaking the offence, would attain the end of all criminal justice—the prevention of crimes, much more effectually than when it was left entirely dependent on the court in which the offence was tried. This he contended was a far wiser mode of administering criminal law, than to suffer that law to prescribe one thing and the practice to deviate into another.—The learned gentleman (the Attorney General) asserted, that the Bill proceeded entirely on theory; and, in opposition to it, he appealed to practice and experience. So also would he—he would appeal to the experience afforded in another part of the kingdom. Although found in another part of the kingdom, it by no means weakened the force of his argument, because it rested on the immutable laws of nature. The measure before the House was supported by arguments, which, to his judgment, appeared unanswerable, and it was at the same time in unison with the best feelings of our nature. In his mind no doubt could be entertained but that specific punishment would have the effect of deterring offenders, more than the uncertainty which now existed, when not one in a hundred was executed under the law. With this experience of the effect which the repeal of the capital punishment, in the case of depredations committed in bleaching-grounds, had produced, supported by the known reluctance of persons to come forward to prosecute, when the law inflicted a punishment which those persons did not consider commensurate with the offence perpetrated, he thought an alteration in the law was obviously necessary. There was a report then lying on the table, from the judges in India, containing much curious information on the subject of the criminal law; and from this it appeared, that while persons in this country were combating in support of this uncertainty of punishment, their fellow-subjects, in another part of the world, were contending for another principle—that principle which the House were now called upon to adopt, and which, if they acted wisely, they would support. The judges of India were favourable to this alteration of the law, in a country which, till a recent period, was very much disturbed. This circumstance he mentioned, to shew that the principle of his hon. and learned friend, was neither so dangerous, so alarming, or so novel, as its opponents seemed to imagine. He hoped that the arguments which had been adduced against the measure, on former occasions, would not now be resorted to. He apprehended it would no longer be attributed to those who supported it, that they wished to exclude the judges from all discretion whatever—that, he believed, was abandoned. Nor, did he think it would now be said, that it was founded on any charge of the law not being humanely administered at present. It was, in fact, introduced for the purpose of preventing the commission of crimes, the increase of which the learned gentleman (the Attorney-General) had himself admitted.

Mr. *Wetherall*, adverting to the latter observations of the hon. and learned gentleman, stated, that if the Act which abolished the capital part of the offence of stealing from the person privately had operated to diminish the number of offenders, the argument drawn from analogy might be fairly applied to the present Bill, the object of which was, to extend the abolition of the punishment of death to the offence of stealing privately from shops. But it would be an inversion of every legitimate

rule of reasoning to infer that because an experiment had failed with respect to one statute, it must necessarily succeed when tried upon another. The question was, did the former experiment proceed? Upon a subject of this kind the opinion of the chief justice of England appeared to him to claim the most respectful deference and attention, and he could state to the House that lord Ellenborough had declared, that the Act to which he had referred, with respect to the punishment of stealing from the person, had increased that offence to an enormous and alarming degree. There were but two grounds on which their reasoning upon this question could be founded—experience, which was against the principles of his hon. and learned friend the proposer of this measure, and theory, which could alone be produced in its support. He had lately met with a work purporting to be a digest of all the speeches and treatises that had ever been published on the subject of the punishment of death, and when he stated that he had read through four octavo volumes with a view of forming a correct opinion of this Bill, he hoped that it would be allowed he had exerted some industry. It contained much curious information, and a good deal of instruction. But, having perused it attentively, he still remained unconvinced by the arguments which were adduced in favour of the theory. For his own part, he valued the living practical opinion of lord Ellenborough and the other judges more than all the theories of all the speculative writers, the Voltaires and the Rousseaus included, which this country or France or the whole of Europe had ever produced. In the work to which he alluded, the doctrine of not punishing crimes with death was carried to a very great extent. An instance was given as an illustration of this doctrine where a strong man robbed another, by no means so powerful, of 2,000*l*. The person robbed endeavoured to defend himself, and struck the depredator—the latter, however, being of a cooler temper, refrained from using any personal violence; and, therefore, it was contended, because, having received this provocation, he had not added murder to robbery, that he ought not to be punished capitally. It was carrying the theory rather too far, to say, "As you have not proceeded to the extreme of violence, which your strength permitted, you shall not be visited by the severity of the law." This might be considered as a fair sample of the chimerical views and the extravagant notions with which the book abounded. The two great fundamental principles of all criminal legislation had been laid down by an illustrious writer to consist in, either establishing and measuring the penal inflictions of the law, by a certain invariable standard, or in fixing them at a high point of severity, and leaving to the discretion of the judges the power of enforcing or mitigating, *pro re nata*, the application of the law. Dr. Paley laid down these two distinct systems of law— the one where a given standard of punishment was attached to every offence; the other, where a greater punishment was affixed to crimes than it would be always necessary to inflict, leaving it in the discretion of the judges to diminish it. On the latter principle the law of England was built, and he saw no necessity for altering it, while the judges were actuated by feelings of tenderness and humanity.

Upon the principle maintained by the supporters of the present Bill, all the Acts implicating the punishment of transportation ought to be repealed, for he might venture to say that neither that nor the punishment of any statutable offence whatever had been originally enacted with a view of being rigorously enforced and entirely withdrawn from the superintending and controuling discretion of those engaged in the administration of the law. Acting on the new principle, they might go on to destroy every criminal statute; for it was well known, that, in 80 cases out of 100, in which transportation was the maximum of punishment attached to an offence, the judge commuted it for a less severe penalty. He did not prefer the old law to the new which was suggested, merely on the ground that it was old; but before he consented to surrender an established system, he required that the advantages for which it was to be exchanged should be great, paramount, and unequivocal. Nothing could, he apprehended, be more mischievous should these discussions unfortunately produce that effect, than to propagate among the people an opinion that the laws by which they were governed were cruel or nugatory, and that in those high quarters from which their administration proceeded there was any deficiency of humanity or attention. He had himself an entire confidence in the integrity and wisdom of those exalted personages who filled the judicial situa-

tions in this country. Until he should see them abusing their functions and perverting that sacred deposit, that constant living principle which, as Dr. Paley had said, the law entrusted to them, to purposes of unreasonable severity and sanguinary justice, he should feel it his duty to resist the further introduction of an innovating spirit into the criminal legislation of the empire, especially as he was aware that many persons considered that change was improvement, and contained the principles of amelioration in itself.

Mr. *Stephen* expressed his concurrence with several of the principles and sentiments avowed by his hon. and learned friend. But he could not help lamenting that instead of confining his arguments to the very concise Bill then on the table, he had thought it necessary to enter into a refutation of the principles contained in that voluminous work, which he was sorry that his valuable time had been misapplied in reading, so far as it bore reference to the measure before them. Now he was unacquainted with the work: but he was sure if his learned friend had heard the arguments with which the hon. and learned mover of the present Bill had introduced similar measures, he would have perceived, that he had borrowed no one weapon from that armoury. So far from discarding practice for theory, he wished to bring home the theory of the law to its practice. It was his object to restore the law of the land to its original state—to bring it back to the situation in which it stood a century ago, when the experiment was tried on it, which was found ineffectual for the prevention of crime. Instead of endeavouring to establish his own theory upon the ruins of the criminal jurisprudence of this country, his hon. and learned friend (sir S. Romilly) had in this Bill proposed to bring back the practice to the true and ancient theory of the law. This object he pursued, because the deviation which had subsisted for a century from the principles of that theory, showed practically that the extension of the severest punishment that man could inflict on man, that this last resort of legislation had not answered the views entertained at the period when it was adopted. The strongest argument, he was ready to confess, that he had heard urged against this measure, was, the opinion entertained by the judges, an opinion, entitled to the most profound respect, whether viewed in connexion with their experience, or the unexampled integrity and wisdom with which they discharged the arduous functions of their exalted situation. He regretted that one of the most prevalent faults of the present day was a want of reverence for those high magistrates who were not more useful to the community than they were venerable for their private virtues. But although it was extremely plausible to say that the practitioners of a science were the best judges of the policy of any deviation from an established system, yet was this a principle that could be maintained by a reference to examples? A strong feeling against any alteration in established systems, always pervaded those bodies of men who were connected with them. If they referred to the history of improvements in medicine, it would be found that Dr. James's discovery of antimony being a specific in fevers, had to contend with the general opposition of the faculty; as was the case likewise with the first introduction of the practice of inoculation, and more lately still, of vaccination. There was a natural propensity in all men, and neither learning nor wisdom could always remove it, to resist every species of change or deviation from established or ancient usages. With respect to the opinion of lord Ellenborough, which had been cited by his hon. and learned friend, he was at a loss to know how the *constat* could be satisfactorily made out as to that fact. What more than every other consideration weighed with him in supporting the present measure was, the advantage of introducing certainty into the feelings with which the awful period when the sentence of the law was pronounced would be contemplated both by the unhappy prisoner himself and those on whom his fate was destined to operate as an example. It was not the actual sufferance of death that infused terror and spread a contagious influence, it was the first communication of the sentence uttered with the usual solemnity that most powerfully impressed the human heart with those sensations which produced repentance and deterred from crime. What was there so well calculated to dissipate these terrors, and to annihilate that wholesome influence, as the knowledge that in not more than one case in twenty was the sentence carried into execution? It should be considered by those who insisted that the law operated as forcibly on offenders as on prosecutors and juries, that their means of information were very un-

equal, that the former only knew the law from the practice, and that A, B, and C, the companions of the depredation of the latter, and who had been tried for the same offence, had only been transported, a punishment not very terrific to old and practised offenders. It was thus that when a case occurred where the law was put in execution, the criminal had in some measure the appearance, as had been truly said by his hon. and learned friend (sir S. Romilly) of being entrapped and ensnared into his fate. It had, then, the effect only of exciting sympathy and commiseration in his behalf, and feelings of hatred and horror at the cruelty of that sentence which had operated in the particular instance with such partial severity. He next adverted to the necessity which juries were under of trifling with the solemn obligation of an oath, for the purpose of evading the severity of the law. He recollected a case at which he had been present when a young man, and attending the trials at the Old Bailey, of a young woman who was indicted for robbing her master of a sideboard of plate. It appeared, however, in the course of the prosecution, that she had been seduced by her master, that her character had been before unimpeached, and her whole demeanour during the time of her imprisonment and trial so expressive of anguish and contrition, that although one of the articles stolen was a silver tankard, the judge told the jury that he had purposely abstained from asking any question relative to the value of the property, and that if they were satisfied, they would find the prisoner not guilty of the capital part of the charge, of which she was accordingly acquitted. There was no man at all conversant with the proceedings in criminal courts, who did not know that cases of the same description were perpetually occurring. And was not this habit of trifling with a juror's oath a serious inconvenience, and might it not, when once contracted, by a comparatively easy transition be extended to other cases, in which the same conscientious feeling could not be urged in extenuation? He entirely agreed that the innovation in an abstract was an evil, and that it ought always to be regarded with an eye of jealousy; but the measure before the House was, in fact, no innovation, but a restoration of the old common law, after the suspension of upwards of a century.

Mr. Serjeant *Best* contended that the *onus probandi* of the argument lay on those who recommended the alteration of an existing law. The statute of king William, which altered the common law, was framed in the best times of the country, and by a parliament abounding with enlightened men. The preamble stated that the crime having greatly increased, it was expedient to provide a new remedy, and now the very same plea was urged to induce the House to undo what was then done, and to revert to the old principles of the common law. The Bill he considered as highly injurious to the interests of society. Instead of ameliorating the situation of the subject, it would, by encouraging crime, be found in the end a measure of severity, and not of mercy. He was obliged to his hon. and learned friend (Mr. Wetherall) for having read the extract with which he had favoured the House; since it had put them in possession of lord Ellenborough's opinion on the subject, which was entitled to the utmost attention The Acts which the present Bill went to repeal, were passed at the time of the Revolution, in the best period of our history; and had the sanction of men, whose abilities were equal to any which the present age could boast; and he could see no reason for hazarding, by an experiment, that which their wisdom had produced.—If the present measure was carried, a similar application would be made to alter another part of the criminal law; until, step by step, the whole was removed. But when it was found so beneficial in its application, he hoped it would not be set aside to make room for theories. When an innovation on the law was proposed in former times the answer of our forefathers was—"Nolumus Leges Angliæ mutari;" and he hoped such an answer would always be returned. He hoped that the principle laid down would ever be acknowledged by that House, and that before any innovation was resorted to, a very clear case should be made out of the necessity for it. But this was not the case; it was scarcely possible that the law as it stood could ever have the effect against which guards were sought to be provided. If it could be shewn, that a single individual had suffered under the existing law, who ought not to have suffered, he would vote for the alteration, for he thought it was better that property, to any extent, should be sacrificed, rather than the life of one individual. But the humanity of judges was proverbial, and that was not the only security which a

prisoner had.—After the jury had convicted him, he still had his petition to the crown; and, by the crown it was submitted to the consideration of those ministers, who conducted the government of the country.—Unless, therefore, those hon. persons could be suspected of a design to sacrifice him, he was sure to have justice administered under the existing law. The learned serjeant, in conclusion, observed, that the objection against the uncertainty of punishment applied no less to the measure now under consideration, than to that which it would repeal, for a discretion was placed in the hands of the judge, by which he could commute transportation for fine or imprisonment.

Mr. *Dickinson*, in order to show the impropriety of leaving a latitude of severity to the discretion of a judge, and to refute the assumption of those who contended that they would always lean to the side of mercy, stated, that to his knowledge persons committed for offences in the west of England, and whose guilt was at all dubious, were frequently most anxious to ascertain whether or not the late judge Buller would come the circuit, conceiving that if that learned person were not to try them, they had very good grounds to hope for an acquittal. In supporting the Bill he observed, that as a learned gentleman (Mr. Wetherall) had read an extract from a work, he also should take the liberty of quoting a passage from Mr. Ruffhead's erudite and excellent preface to his Statutes, where he observed—"Our statute laws seem to breathe too much the spirit of severity—under them, persons are hurried out of the world, for slight trespasses, who, by a little care, might be made useful members of society." He would also remind the learned gentleman of the words of an ancient poet of great celebrity, who was no less capable of laughing at and ridiculing the follies and vices of the age in which he lived, than he was calculated to form rules worthy the respect and obedience of posterity. He thus expressed himself in favour of a certain equality of punishment, commensurate with the crime:—

———" Adsit
Regula, peccatis quæ pœnas irroget æquas;
Ne scuticâ dignum, horribili sectère flagello."

The passage he had quoted sufficiently proved that the supporters of the Bill were not advocating a theory of mere modern growth: and its opponents, when they pressed upon the fact of the statute having been inoperative for a length of time, and thence inferred that there was no necessity for its being expunged, should be reminded, that during that time almost every writer who had had occasion to advert to it had reprobated its continuance on the statute book. If the system which would be altered by the Bill was one of yesterday, then he would agree that it ought to be tried for a longer period—but, when, after the experience of a century, it was found ineffectual, it ought to be removed. The Attorney General seemed to think that the existing Acts had the effect of operating, *in terrorem*, to prevent crimes. They certainly were sufficient to deter those who were well educated from the commission of offences; but this was not the case with the lower classes of society, who were destitute of education, and who possessed, in a high degree, the spirit of adventure. To the general severity of punishments he was altogether adverse, he was of opinion that they had by no means the effects they were supposed to have, and if any fact was sufficient to decide a question, this in his mind was most completely decided by that of the depredations of pickpockets being more frequently exercised amidst the crowds which usually assembled before Newgate on days when there happened to be an execution at the front of that prison than in any other situation whatsoever. Poverty, a hatred to labour, and a dislike to confinement, were the principal incentives to crime. The surest punishment, therefore, was, to inflict poverty, labour, and confinement, on those who transgressed the law. As he could see no evil whatever which was likely to result from the Bill, and as, on the contrary, he expected much good to arise from it, he conceived it went to provide a moderate and temperate alteration of the law, it should accordingly have his support.

Sir *Frederick Flood* argued warmly in favour of the Bill, contending, that the law it went to alter was not one of those by which any of the great interests of society were protected. It left the enactments against burglary, and other during crimes, subject as ever to be repressed by severity, warding it off only from those whose guilt was by no means of very great atrocity. Nothing could, in his opinion, be a greater outrage on all the feelings of humanity than the inequality of our criminal laws. The person who had purloined an old horse from a stable,

or a cast-off cover from a warehouse, was liable to a punishment than which nothing more severe could be awarded against the most cruel and daring violator of human rights.

Mr. *Frankland* opposed the Bill. He conceived that very erroneous views were sometimes formed of the principles upon which criminal laws were enacted. With respect to the law which the present Bill was meant to alter, we were not to contemplate the crime, the repression of which constituted its object, with a reference merely to the proportion of moral delinquency which it involved, we were also to take into the account the temptation to commit it inevitably held out by reference to the existing state of society, and likewise the amount of inconvenience which might be sustained by the persons whose property the law was intended to protect. An ample illustration of the principle he was endeavouring to establish, might be drawn from the state of the laws with respect to forgery; no one thought of altering the laws with respect to that crime, no one conceived they were of excessive severity; but yet no one could dispute that such severity was not dealt out in the ratio of the amount of guilt which the action involved. Forgery was simply a form of the *crimen falsi*, of the violation of property upon false and fraudulent pretences, which not being in any other case equally injurious to the interests of society, was in none punished with the same measure of severity. The crime, indeed, to the perpetrator of which the present Bill went to render impunity more certain, was but little inferior in atrocity as well as in its injurious effects to those who suffered from it. He would desire the House to consider the situation of the shopkeeper, obliged in the course of his business to display his goods in such a manner as to attract, together with his customers, those unworthy persons from whose rapacity he had no defence, but what the salutary terror of the law supplied. Reposing, as he did, a great degree of confidence in those who came into his premises; he would ask, could a greater degree of baseness be well imagined, than was fairly imputable to those who could take advantage of that confidence to despoil him of his property. It was well known, by all those who could possibly be supposed interested in the cause of humanity, that the punishment which it was the object of the Bill to erase from the Statute Book, was never put in execution; and if its remaining unrepealed, under these circumstances, could deter individuals, who were not sufficiently informed to be aware of it, from the commission of crimes, he conceived there were very strong reasons for allowing it to remain. To repeal the law was not to obtain a certain degree of impunity for those who were called petty delinquents, for that they had already: it was merely to call aloud to them, to inform them that they might rest assured they should invariably and permanently enjoy it, and as it were to invite them to pilfer. It was to place arguments in favour of villainy in the hands of such experienced rogues as might feel disposed to entice the youth, of either sex, into the paths in which they themselves thought proper to walk. He could suppose a person of this description meeting in the street with a friendless and unprotected lad; and, after having ascertained his condition, inviting him to an association in his iniquitous pursuits, by an assurance, that to be sent to Botany Bay was the worst that could happen to him in the event of detection. He could not let slip the present opportunity of animadverting on the manner in which the name of Draco, the legislator of antiquity, so remarkable for severity, was used upon all occasions. This man's name was a kind of talismanic word, which it was always deemed sufficient to use, with sufficient copiousness of repetition, whenever a question of mitigating the severity of penal laws happened to be agitated: and when it would be held forth as a beacon, warning from the shelves of cruelty, in a preface to the statutes, in a fair and ample volume, with the King's arms blazoned in the title page, it was difficult to say into what species of document it might find its way at last. Of this he was satisfied, that it was frequently used by those, who did not understand themselves in what manner any illustration of their arguments could be derived from it.

Sir *S. Romilly*, on rising to reply to some of the arguments which had been urged against the Bill, said he should not trespass long on the patience of the House, nor did he intend to have troubled them at all, were it not that he found it necessary in justification of himself. To those members who had not before heard him on this subject, it would afford satisfaction to hear that his was not theory; and though those gentlemen who opposed the present

Bill obliged him by bestowing on him the appellation of a theorist, they themselves were in reality the theorists. It would be some relief to those gentlemen who objected to him that he was accustomed to indulge in fanciful theories, when he assured them that he would now cautiously abstain from obtruding on their attention any thing of that kind; at the same time he could not help observing, that this charge, so frequently preferred against him, was by no means well-founded; on the contrary, he had the satisfaction of thinking that those who were most forward in accusing him, were themselves addicted to the practice they condemned. He really was not conscious that he had attempted to support any measures such as that which was the object of the present Bill by theoretical arguments; he had always, in endeavouring to recommend them to the House, relied principally on facts, and he had very diligently laboured to put the House in possession of those facts. These practical men, as they would have themselves supposed, however, who opposed the Bill, had brought forward no facts in support of their opinions. They disclaimed even to have recourse to those facts bearing on the subject which they had before them. He was sorry not to have heard the sentiments of his hon. and learned friend (the Solicitor General) on this measure, considering how gratifying it must have been to the House to learn the opinion of a learned gentleman of his great experience on the subject. The simple question now at issue was, whether a law, enacted in the reign of William 3, which made robbery to the amount of more than 5*s*., without any aggravated circumstances, a capital offence, should remain on the statute book. Without at all alluding to the changes produced by the lapse of time, and even to the change in the opinion of the judges since the time of king William, an hon. and learned friend of his (Mr. Wetherall) called on the House to adhere to the ancient system of our criminal law, and for information on that head referred them to a work of Dr. Paley. This, however, was a work not founded on an enquiry into the ancient system of our criminal law, but into the nature of that law as it had been practised in modern times. Now, he would remind the House, that for a considerable time the judges had, without being charged with indulging in theories, seen occasion to swerve in their practice from the spirit of legislative enactment; a spirit, which by the way, had not been by any means always dormant, as the punishment in question had been inflicted till within the reign of his present Majesty; and the frequency with which it had been inflicted could be ascertained from Howard's book on prisons. From this it appeared that from the year 1749 to 1771 the number tried was 250, of whom 109, or nearly one half, were convicted. Within the last five years, on the other hand, in London alone, there had been tried for similar offences 188, of whom were convicted only 18, being only one in 10 of those indicted, and of the 18 convicted not one had been executed. Now, he asked how the disparity between the number tried and the number convicted was to be accounted for, on any other principle but the unwillingness of the jury to find the property stolen to be of the value required by the Act?—He asked, could any stronger argument against an existing law be conceived, than that crimes not only increased but multiplied under it?—Or could any thing be more absurd than that the punishment of death should continue to be held out as applicable to offences of a more trivial nature, where it was perfectly well known that such punishment would never be inflicted?—It was said that the Bill repealing the capital part of the punishment for privately stealing from the person had had the effect of increasing that crime. He denied that that crime had increased since the passing of the Act repealing the capital part of the punishment; but if the fact was so, it remained to be shewn that the alteration in the law had been the cause of it. For if crime in general had increased, it would be rather too much to hold that the increase of it in this particular instance, had been caused by the alteration in the law. The increase of crime in general would be apparent from the returns before the House; and could with fairness be attributed in a very principal degree, only to the uncertainty of the punishment, or rather to the certainty that no such punishment as that provided for the offence would be inflicted. The whole committals in the year 1805, throughout the kingdom, for offences of this kind, amounted to 980—in 1806 to 890—in 1807 to 1017—in 1808 to 1110—in 1811 to 1242—and in 1812 to 1484. So that in those six years the committals had increased upwards of 500. Now, in order to see what alteration had been ef-

fected, it was necessary to enquire what number of persons had been executed for those crimes since the latest of the periods mentioned. There had not been one.—He had been accused of ringing the changes on impracticable theories, but he had never dealt in theories; he had supplied the House with facts—he proceeded on facts, plain demonstrative facts; but something very much like theory had been arrayed against him. But the Act of 1809 had produced happy results. A noble and learned lord (Ellenborough) was reported to have said, that the alteration in the law as to privately stealing from the person had caused an increase of that offence; but he denied that the mere increase in the number of committals for that offence proved the assertion, as the increase might be attributable to the increase of crime in general, and also to the fact that since the alteration in the law, parties were less disinclined to prosecute. The authority of the Lord Chief Justice had been often referred to—it was assumto be his opinion, that the crime of stealing privately from the person had increased since the capital part of the punishment had been taken away. But he had declared the same opinion that the crime had increased in 1808, before the passing of the Act. He did not know why the authority of the Lord Chief Justice should be singled out as superior to every other: he did not try so many criminal causes as the other judges: nor was it possible for any judge officially to ascertain whether the crime had really increased or not.—The number of prosecutions at any period it was easy to ascertain, not the number of offences; and that the number of prosecutions would be greater in proportion to the number of offences was what had been foreseen and foretold as the consequence of passing this Act. In 1805 there were 23 persons indicted for this offence, and only one convicted; in 1806, 31 persons tried, and one convicted; in the next year, 37 indicted, and three convicted; and in 1808, from January till June, when the capital part of the punishment was abolished, there were 31 persons indicted for stealing privately from the person. Such was the progressive increase of this crime before his Bill had passed, which had been considered as the subsequent effect of the passing of that Bill. So little attention did those gentlemen who talked against theory, pay to facts. They were so taken up with their zeal about practical men, and faculty men, and the great superiority of experience over speculation, that they never once condescended to look at the returns laid upon the table. As to the terror held out by these unexecuted punishments, on which so much stress had been laid, it was purely chimerical, they had no such effect. Let the House for a moment remember how vast a difference there was between the great number of indictments and the small number of convictions which formerly took place, and the nearer proportion between the convictions and indictments which were now observed. The fact was, that juries were not to be found who would find guilty on such sanguinary laws. It was demonstrated by the statement. Before the passing of that Bill, within a specific period thirty were indicted, but one only was found guilty; and after the Bill became a law, within the same period 99 were indicted, and 45 out of that number were convicted.

The reason of this evidently was, that the law being less sanguinary, the juries did not hesitate to convict men when evidence had proved them to be guilty. To keep these sanguinary Acts standing on the statute books, as threats, was much worse than useless; for that fact often prevented men from being convicted when they really were guilty. Many instances could be adduced to show, that in consequence of the laws regarding some particular offences being so very sanguinary, men who had been guilty of those offences, even in an aggravated degree, were not even proceeded against. This applied particularly to bankrupts. How many bankrupts were guilty of those offences which the law made punishable with death, such as secreting their property, and not appearing to their commission, yet who were never proceeded against: such was the terrible severity of the law. (Hear!) Its terrible severity was such that no one could be found to prosecute, for there were but very few creditors who could ever think of proceeding against a bankrupt, however deeply that bankrupt might have injured them, when such proceeding was to endanger the man's life.—Though those offences were extremely common, as must be well known to those who had any thing to do with bankruptcies, yet had there been only four prosecuted within half a century! But was it surprising that such a law remained a mere dead letter on the statutes? If those offences

were punishable by transportation, or by imprisonment for a term of years, would not many bankrupts be justly prosecuted for secreting their property from their creditors, or for not appearing to the commission? Where then was the boasted benefit resulting from holding out a terror which was not carried into execution? and to contend for it on the ground of its being a terror, was a very bad argument. Men who referred to facts, who did not indulge in theories, were well convinced of this. Gentlemen were fond of facts, and he would appeal, by way of illustration, to an instance given by a respectable traveller, Barrow, in his account of the Cape of Good Hope. When he arrived there, the law still ordered breaking on the wheel and torture for certain offences; and when it was proposed to repeal these laws, all the lawyers exclaimed loudly against the repeal; they said, that though never put in force, these punishments were necessary *in terrorem*, and that simple strangling with a cord would not have any effect. The judges were of the same opinion. The laws were, however, repealed, and the consequence was, than an application was soon after made by the hangman to have a pension assigned him, as owing to the diminution of the number of criminals, his place was become a sort of sinecure. Strangling, putting on the rack and beheading, were punishments which were still enforced there by the letter of the law. The statesmen saw that they were never enforced, in fact, and that the continuance of the law was detrimental rather than otherwise. They applied for the repeal of them—but the continuance of the laws was defended on the ground of their being valuable as a terror. They continued but were never enforced, and the consequence was, that the poor executioner petitioned the government for a pension, offering at the same time to give up his fees of office! With respect to the authority of the judges in favour of the present law, it should be remembered that till 1771 they had executed that law, and their present practice was an innovation on the law, which was no longer any thing more than a mere theory. The learned serjeant (Best) had said, that if any possible case could be found in which the sentence ought to be executed, this would be a sufficient justification of the law. But he would suppose a case of assault so aggravated as to deserve capital punishment; as for instance, if a son should cruelly and wantonly assault a kind and most indulgent father, was the hon. and learned gentleman, therefore, prepared to say, that he would make an assault capital in all cases whatever? If so, he must bring in an entirely new code of laws, and if it would not offend his hon. friend near him to repeat the name, he would advise the learned serjeant to inscribe them with the name of Draco. The learned member had quoted the maxim, "Nolumus leges Angliæ mutari." But he must beg to remind him when and how those words were applied. They were used by the barons when they resisted the attempt to overturn the whole system of our laws, and to introduce the old Roman for the common law of the land. If they were to be quoted against all alterations in the existing laws, why then the learned serjeant would have appealed to them when it was first proposed in the time of queen Anne to have witnesses examined in favour of the prisoner, or when it was proposed to extend the benefit of clergy to women as well as men, or when it was determined to abolish the being able to read, as the criterion which was to preclude capital punishment in certain cases. Such must have been the effect of applying the learned serjeant's measures during all times—such would have been the character of the failures of statesmen, had it always been thought that things ought to be left as they were. But the Attorney General differed from the learned serjeant. He had said that the crime had increased, and that of course the law ought to be altered with the view of meeting such increase; but such alteration the learned serjeant would not allow; no, he would let evils multiply, but he would touch the law, not for the purpose of preventing such increase. With respect to the sentence of death, it had been said that there were "different" ways of pronouncing it —one way when the criminal was really to be hanged, and another when it was intended that he should be respited. But he knew nothing of these "different ways" of pronouncing a sentence of death, for if there were any such practices, the pronunciation of the sentence must lose much of its efficacy. He knew of but one way, and as the prisoner remained ignorant of any intention to lessen his punishment, the pronunciation of the sentence must have all the effect it would have if the sentence was really to be enforced. The only form he knew of was that where the judge concluded with solemnly pronouncing "And

the Lord have mercy on your soul!" He had witnessed the awful and heart-rending effects which the delivery of this sentence had on the criminals; and in some instances where it was the intention not to execute, he had seen the judge, after the sentence had been pronounced, send to the prisoners, such was their dangerous state, to assure them that the sentence was not to be executed! What benefit could result from such a proceeding, and, besides, what advantages resulted from placing a judge in such situations? He was for reducing law to the practice of the law, and for enacting such punishments for offences as would not be of that sanguinary character which would induce juries to acquit where some punishment was due. He would conclude in the words of the Master of the Rolls, whose absence he deeply regretted, that when the law was such as to be no longer executed from its repugnance to the manners and sentiments of the community, the time was come to repeal that law, and to substitute others for it more mild and more effectual.

The House then divided, when the numbers were,

For the third reading 72
Against it 34
Majority......................—38

The bill was then read a third time and passed.

HOUSE OF COMMONS.

Saturday, March 27.

CONDUCT OF CAPTAIN PHILLIMORE.] Sir *F. Burdett* rose to make a motion, of which he had given notice, and which he felt it his duty to do, notwithstanding the accusations which had been alledged against him, that he was always bringing tales of woe before the House, and lending too credulous an ear to idle reports and unfounded charges. He would, however, say, that if the House knew half the complaints that were made to him, it would, in his opinion, declare him (instead of being too credulous) one who rather turned a deaf ear to them. The case which he then felt it his duty to lay before the House, he considered as one of the most cruel and unmerited he had ever heard; and however much had been said of the necessity of enforcing naval discipline, he was assured that the House would feel as he did, that it was a case of most unwarranted and unnecessary degradation and cruelty. At a time when the Diadem, captain Phillimore, was lying at Chatham, alongside a hulk, Mr. Hancock, the unfortunate gentleman, the subject of his complaint (for he was a gentleman by birth, as well as by the situation he held in his country's service) was ordered, by the master, to go from the hulk on board of the Diadem, in order to quell some disturbance which had taken place on board her. Mr. Hancock had lost one of his legs and part of the thigh at the battle of Trafalgar, and having at the time he received this order to go on board the Diadem, broken his wooden leg, he remonstrated with the master, stating his inability to go along the plank which communicated between the hulk and the vessel. Next day a formal complaint was made to captain Phillimore, who ordered him to go aloft and stand in the rigging with his uniform turned. On his stating the impossibility of standing in the rigging with a wooden leg, captain Phillimore sent for the captain of the sweepers, and ordered him to take him into his gang, make him sweep the ship, and if he did not, to get him well started (beaten with a rope's end), Mr. Hancock again remonstrated against this treatment, and desired that his conduct might be investigated by a court martial. On this captain Phillimore had him tied up to the rigging, his small clothes let down, and in that situation he received three dozen and two lashes. He was convinced that the House would say with him, that this was not treatment which a master's mate (as Mr. Hancock was) ought to have received. It was true, that a court of inquiry had been instituted on the conduct of captain Phillimore, but the proceedings had never been made public, and indeed he did not think that it was the proper mode of investigating conduct which ought to have been the subject of a court martial. The hon. baronet concluded by moving, that a copy of the minutes taken on a court of inquiry, held on captain Phillimore, of the Diadem, on the complaint of —— Hancock, master's mate of that ship, be laid before the House.

Mr. *Croker* expressed his regret that the hon. baronet should have lent a ready ear to representations like these, without making inquiry at the Admiralty whether the allegations were true or false. It was true that Mr. Hancock had written to the Admiralty, requesting that a court of in-

quiry might be held on captain Phillimore's conduct; and as soon as they could both be brought face to face, (which could not be done until some months had elapsed,) the inquiry was held by captains Bolton, Ball, and sir A. Dixon, who reported that the punishment was deserved, and the representations of captain Phillimore undenied by Mr. Hancock himself. Mr. Hancock's uncle was boatswain of a guard-ship, and on his account, and because Mr. Hancock was an orphan, captain Phillimore had been induced to excuse his repeated errors until they, at last, arrived at a point to which indulgence could not follow them. Captain Phillimore had transmitted to the Admiralty copies of letters from the young man and his uncle, expressive of their obligations to him for his indulgence towards the complainant's errors. The hon. gentleman trusted the House would see no necessity for entertaining this motion.

Sir *F. Burdett* said, that he had certainly not received this account from the unfortunate gentleman himself, but from some casual informant; and he hoped it would not operate to the disadvantage of Mr. Hancock. For his own part, he did not wish to press the motion on the House, reserving to himself the power of again bringing it forward if he saw a more urgent occasion.

The motion was withdrawn.

HOUSE OF LORDS.

Monday, March 29.

Sinking Fund.] The Earl of Liverpool moved the first reading of the Exchequer-bills' Bills.

The Duke of *Norfolk* observed, it was strongly rumoured, that a principal part of the ways and means for the service of the year were intended to be taken, so as to affect a Bill, which was known by the name of the Sinking Fund Bill; a measure which he ever considered as one of the most advantageous that could be adopted. It was a measure, through which strong hopes were afforded, that one day or other the national debt would he redeemed, by means of one million per annum, originally, and faithfully applied to that purpose. Connected with this was a subordinate measure for providing a per centage so as to meet in some degree any future debts that might be contracted, and to provide the incipient means for their diminution.

The Earl of *Liverpool* said, the subject referred to by the noble duke was one, which, if at all discussed, would naturally run into great detail. He had no difficulty in saying, that when the measure alluded to should be before the House, he should undertake to prove to the satisfaction of the noble duke, that it did not in the least trench upon the principle on which the sinking fund was formed; nor that of the Acts of 1786 or 1792. Of this he was sure he could satisfy the noble duke, that the principle adopted by the illustrious individual, to whom those measures owed their rise, was not to be departed from. The topic was not then before the House, and any attempt at explanation would involve no inconsiderable portion of detail.

The Duke of *Norfolk* expressed his hope that the subject alluded to would not be brought before that House at a period when there should be little chance of its receiving an adequate discussion.

Stipendiary Curates Bill.] The House resolved itself into a Committee on the Stipendiary Curates Bill. A conversation of great length took place upon the clauses of the Bill. The time limited in the Bill for the incumbent offering a curate for the approbation of the bishop, was reduced from twelve months to six, giving three months afterwards to the bishop for his approval. The words making it imperative on the bishop to take care that a curate should be provided, were struck out. On the clause being read for fixing the salaries of the stipendiary curates,

The Bishop of *London* urged a variety of objections to it, conceiving that it would operate oppressively by the generality of its enactment, and moved an amendment, leaving it to the discretion of the bishop to fix the salary of the curate at any rate, not exceeding 100*l.* per annum, including house, and such portion of the glebe as it might be thought fit to give him the occupation of.

On the suggestion of the archbishop of Canterbury, supported by the archbishop of York, the bishop of London agreed to alter the maximum proposed in his amendment, to 200*l.* per annum.

The Earl of *Harrowby* supported the original enactments of the Bill, and contended for the necessity of laying down a principle by law, which should ensure to curates who had the care of parishes, and whose duties were therefore of the utmost

importance, an adequate support. He denied that the Bill could operate oppressively, as these enactments would only apply to future incumbents. He therefore opposed the amendment.

The Bishop of *Norwich* highly approved of the measure brought forward by the noble earl.

The Earl of *Liverpool* supported the arguments of the earl of Harrowby, and also opposed the amendment.

Lord *Grenville* insisted that it was extremely impolitic to give the bishops the additional power that was by this amendment proposed to be communicated, since it would place them in an invidious situation, by leaving the stipends of curates at their option. The salaries at present paid did not amount to more than half what was by law allowed. His reason for voting for the original clause, was, that it would encourage the residence of the clergy, and thereby support the declining establishment.

The Earl of *Radnor* disapproved of the whole Bill, because he thought that the effect would be exactly contrary to the expectation of the last speaker.

The Archbishop of *Canterbury* defended the amendment.

Lord *Redesdale* opposed it.

The *Lord Chancellor* declared he should vote neither way on the present occasion. He seemed to think the Bill, in its present shape, could not be adequately efficacious as to its salutary objects: something of a more comprehensive nature, accompanied by a strict enquiry into the actual value of livings, would be necessary; and he took occasion to remark, that the frequent traffic with respect to benefices and advowsons was quite shameful.

The bishop of Exeter said a few words directed against the lay impropriators, and the bishop of London having shortly replied, a division took place:—For the Amendment 15; Against it 17; Majority 2. The Amendment was accordingly negatived. Strangers were not again admitted during the discussion of the other clauses, on which several divisions took place.

HOUSE OF COMMONS.

Monday, March 29.

Sinecure Offices Bill.] Mr. Davies Giddy brought up the Report on the Sinecure Offices Bill. On the question for reading the amendments of the committee a second time,

Mr. *Holford* said, that he felt so many objections to the principle of the Bill, that he could not content himself with giving a silent vote. The principle of the Bill appeared to be, to substitute as the reward of services a fixed pension to be allotted by parliament according to the length of service, in the place of those rewards which the crown was enabled to bestow in the shape of those offices that were now sought to be abolished. It appeared to him, that it was of great importance to the state, that the highest civil offices should be discharged by men of eminent abilities. The individuals the best qualified for those offices were generally to be found among that class of men, who for the provision of their families, were under the necessity of looking in part to the fair remuneration which was due for the exercise of their talent. If a high qualification in point of property were necessary to enable a man to hold any of the higher offices of the state, the great probability was, that they would not be so well filled as under the existing system. The criterion of merit and reward appeared, by the present Bill, to be appreciated merely by the length of time during which a man had filled certain offices. This criterion seemed to him to be most inapplicable to those men of great talents, whom the country would wish to see placed in important situations. Supposing a man of great talents, who could not agree in all the measures of the administration with which he was connected, and who, therefore, thought it his duty to divest himself of office, would it be said, that such a man should never, under another administration, receive the reward of his services and talents, merely because he had not continued in office for the time specified in the Bill? or was it desirable that such a man should be obliged to continue in the administration for the purpose of obtaining the reward due to his past services? He thought that it was taking a very narrow view of the subject, to measure the merits of public men, and their claims to remuneration for their services, merely by the length of time that they had filled any particular office. Some gentlemen looked to this Bill as a diminution of the influence of the crown: but he could not bring himself to view it in that light. As the favours of the crown were bestowed from the recommendations of its ministers, it would be found, that the gratitude which

was occasioned by those gifts was usually paid to the minister who had procured the grants more than to the crown, and in the changes of administration which took place, persons thus favoured acted with those to whom they considered themselves indebted; and thus, in fact, a counterpoise to the power of the crown was formed. He thought that it would be much better that the power of rewarding civil services should remain with the executive, and be exercised at the responsibility of ministers, than that such claims should be canvassed among the different parties in that House, who could be no judges of the value of the services, and who could not be supposed to be quite impartial in their estimation of them. He was aware, that the reward of military and naval services, had, not unfrequently, been made the subject of debate in parliament. But, in those cases, the splendour of the achievements spoke for themselves, and the voice of the public generally out-ran the determination of parliament. This was very different from appreciating the merits of civil services, because the House could know very little of the interior arrangements of public offices; nor could it be expected that strict justice would be done between parties who had been political rivals. This was borne out by the case of Mr. Perceval. That excellent man had given up a most extensive practice to attend to public affairs; but yet, when provision was sought to be made for his family, it was observed that it was not on account of that sacrifice that provision should be made, but in consequence of his melancholy fate, which was unparalleled in the history of this country. He had reserved his opposition to the present stage of the Bill, because he was convinced his objections could not be cured in the committee. He looked upon the number of places specified in the Bill, as excepted from its operation, to be by far too few. The first commissioner for the affairs of India, was an office quite as laborious as any mentioned in the Bill; the secretary to that office had a duty to perform no less important; there was also an office which he (Mr. Holford) formerly held, which, if it were excluded from the list contained in the Bill, because there were no considerable duties annexed to it, he could assure the hon. gentleman, was entirely mistaken and misunderstood. There were various situations which called for rewards, that could not be enumerated in the Bill.—For instance, some offices were more effective at one time than at another, and were rendered more effective in some hands than in others. He thought that no way of rewarding services could be worse than an inflexible parliamentary rule, which regarded only the length of time that a man had been in office, and not the services which he had rendered to the country. He hoped that this Bill would not be resorted to merely on the ground of popularity; for if the House were now to give way merely on that ground, a future set of reformers would quarrel with pensions, and others would insist that the honour of holding civil situations was sufficient, without any salaries being annexed to them. He conceived that the adoption of the Bill would be an unworthy sacrifice to popularity, and not likely to be productive of any public good. As he held no office himself, his opposition could not be attributed to any unworthy motive. He concluded by moving as an amendment, that the amendments should be read a second time that day six months.

A pretty general cry of question, question, then took place, and no other member shewing any disposition to speak,

Mr. *Bankes* rose and said, that he had waited in the hopes of hearing the sentiments of other gentlemen upon this subject. He thought that the hon. gentleman had mistaken, in many points, the object of this Bill. It was by no means his wish to take away the power of giving pensions from the executive, in whose hands alone it could safely be left, subject to the responsibility of ministers. Nothing could be more extravagant than to bring before that House a discussion on merits of individuals holding high civil offices, or the value of their claims for remuneration. Different parties would necessarily think differently on that subject, and the House could be in no condition to form a correct judgment. The hon. gentleman was also mistaken, if he thought that the present Bill gave an absolute and indefeasible claim to every person who had filled certain offices for the time therein mentioned. The Bill only vested a power in the crown of conferring such rewards, if they should appear to be merited; and he did not suppose that any minister would recommend the same rewards for ignorance and inattention as for talents and meritorious services. The hon. gentleman had said, that many meritorious persons would go without reward, if they had not remained

in office, for the time specified in the Bill: but was it not now the case, that many persons equally meritorious on the other side of the House, and who had not been in office at all, or only for a very short time, were without any reward for their public services? Those places fell to the lot of but very few, and there were many very deserving men in that House who had no chance of obtaining them. His idea was, that salaries should only be given to efficient offices, and that the rewards for merit and services should be conferred in another way. As to the principle which the hon. gentleman had thrown out, that many a man would prefer a smaller provision for his son to a larger one for himself, this was not generally to be adopted. Although the country owed rewards to wounded soldiers and broken-down sailors, would it be contended that those men should be allowed to substitute a young life in their place to receive those rewards. He certainly thought that it was necessary that proper rewards should be given for civil services, or otherwise men who were the best qualified to perform them might be discouraged from coming forward into public life. He only meant to follow up the principle which Mr. Burke had adopted in his Bill of 1782, and which had afterwards been pursued by Mr. Pitt. If gentlemen would consider the number of offices that had been put under regulations since the year 1782, it would appear that the question which now remained for their consideration was, why the other places should not now be placed under similar regulations? He rather more agreed with the ideas of Mr. Pitt than with those of Mr. Burke, who had brought in his Bill of 1782, avowedly with the object of diminishing the influence of the crown. Mr. Pitt had merely wished to proportion the salaries to the services performed; and this was the object he had in view, without considering the question as it bore upon the influence of the crown. There was no friend of rational reform who would deny that public services were entitled to reward; and although distinguished military and naval services had more of splendour in them, and therefore came forward in a more prominent point of view, yet laborious sacrifices in high civil situations were certainly deserving of remuneration; and if they did not obtain it, the country might lose the benefit of the best talents it produced. He thought, however, that no offices should be either created or continued merely for the sake of increasing the influence of the executive. He was also of opinion that in the great extension of the public expences, it would be right to shew the people, that while large sums were voted for public services, the House was equally attentive to save whatever could be spared in the general expenditure. The hon. gentleman had stated, that this Bill was an unworthy sacrifice to popularity. He denied that any such sacrifice was intended to be made. He conceived, however, that it was fit to pay salary only for services performed; and in that opinion it was very natural for the public to coincide. But, he was sure, any person who looked at the question with a statesman's eye, would see the propriety and necessity of such a Bill; and he was no less convinced that neither the hon. gentleman, nor any other individual, could ever hear an unconstitutional proposition stated by him, nor by any of those whose assistance he had availed himself of in the progress of the measure. They had taken the case into their rational consideration, and he never heard the principle defended by one of them, that no subsistence should be granted to those, who, either from age, from accident, or from political changes, should be necessitated to give up their situation, provided they had deserved well of the public. The just way of looking at the Bill was, not to compare it with any system of ideal perfection, but to examine its capacity with reference to the evils it was intended to remedy. He and his friends had performed their duty, and it remained for those who objected to the measure, to shew why those officers, which were useless, should not be removed. He hoped the conduct of the House, that night, would not disappoint the hopes of the country.

Lord *Castlereagh* expressed his intention of opposing the principle of the Bill. He felt, as a minister, the disadvantages under which he rose to oppose any measure which stood on the professed ground of reform, either as a question of economy, or with reference to a regulation of the powers of the crown. He felt also an additional disadvantage in opposing it, because a similar measure received the support of the House, in a former parliament. That support, certainly, was not of a very decisive nature, since the Bill was only carried by a majority, he believed, of not more than ten or twelve. He owned that

he had been at first completely deceived as to the objects the Bill had in view, for he conceived that it went to save expence: but he would appeal to the judgment of his hon. friend (Mr. Bankes), whether or no he could entertain any rational hopes of lessening the expenditure of the country by the Bill he had introduced into parliament? He also appealed to his hon. friend for his opinion of the chance of success he might promise himself from his perseverance in that measure, when he recollected the reception his Bill had met with last year in another quarter. It was well known to his hon. friend, that the House of Lords—(Here the Speaker called to order, and the noble lord apologized) —but he would resume his argument, and maintain, that by this Bill, the expences of the country would be considerably increased, with this difference, that instead of coming directly from the crown, and in the old constitutional way, they would have to flow through a more circuitous channel. He then adverted to the places in the West Indies, which could not be reduced otherwise than gradually, and at a distant period of time; these he considered as a fair subject for future regulation; he thought it right, for example, that none of those places should be held by deputy, and should the Bill miscarry, it was his conviction, and that of the rest of his Majesty's servants, that some measure to enforce the residence of the principals should be resorted to in respect to those offices. The sum of pensions claimed for a certain duration of service would be immense, nor could any of the applicants be well refused without an implied censure on their conduct, or even a direct charge that they had misbehaved while in office. In the present system, the same inconveniency was not felt. The crown granted sinecures for the reward of civil services, but this grant was not considered as obligatory, nor did the refusal of it cast any imputation on the persons who might suppose they had a claim thereto; but by the present Bill a door may be opened to grant pensions to any one who had ever been in office for a certain length of time, and this would bring on the nation such an addition of expence as was never known before. Another objection was the practical, and indeed insuperable difficulty, which must of course be felt from abolishing at once 350 offices, and in his opinion his hon. friend had not paid sufficient attention to that point. He found another reason to oppose his hon. friend's Bill, in the power which it would give one party over another. He deprecated party spirit as much as any other man, still it was known to exist; and he thought that it would be wrong to submit to the decision of one party the rewards to be adjudged to the political services of another. He thought, for instance, that the services of the hon. gentlemen opposite, although not so long in office, equally valuable to the state, by the share they took in the debates of that House, and by their strenuous efforts to elucidate every question brought before them; and he would admit of no principle by which they should be debarred from enjoying the just recompence of those services. The opinions of Mr. Pitt and of Mr. Burke had been quoted in support of the Bill; but they had acted on the principle of limiting the patronage of the crown, while the present Bill went to do it away entirely, and was of course altogether novel. The grant of pensions might besides be considered as a fair compensation for gentlemen already in public life, but it could not be considered as such for men, called from lucrative employments in private life, to fill offices in the state, and who often made considerable sacrifices, for which they were entitled to adequate compensation. Should this Bill pass, the state must for ever lose the services of gentlemen of that description. To measure merit by time might do well enough in private life, or where the duties of the person were confined to mere industry and application; but when they looked to the larger talents necessary for the highest political offices, and to the great sacrifices often made—to weigh such talents and sacrifices with reference to the period of service, was the most unsound principle that could be acted upon, and one which would preclude the public from availing itself of the services of persons of the most splendid abilities. The House was not of that aristocratic spirit that would deprive men of humble birth, but of great talents, of any participation in the administration of the state. The arrangements proposed by the Bill appeared to him not only defective, but even unconstitutional, and tending to throw the whole power of the state into the hands of a few individuals of elevated rank, for the Bill did not provide for the diminution of offices, but for a new mode of rewarding services performed in them, and which essentially belonged to the

head of government. Much had been said about the patronage of the crown, but it would be found that, instead of increasing, it had been much lessened; and this would appear evident to any one who would consider the present state of the country, and the reduced value and estimation of political remunerations. Under all those circumstances, and considering that the hon. gentlemen opposite, who had not been in the habit of being so long in office, might suffer by a measure which should regulate pensions by the time of service, he would most decidedly oppose the measure.

Mr. *Canning* having given his support to a measure similar to the present in the last parliament, and having seen nothing that induced him to alter his opinion respecting it, declared that he should give his vote in its favour. He thought the Speaker had most properly restrained the noble lord from adverting to the opinions entertained in another House of Parliament, because it was not only irregular, but was bad as an argument altogether. There had been many instances, and he referred particularly to the case of the slave trade, when, notwithstanding the known hostility which prevailed against the decision of the House of Commons, in another assembly, by the exercise of a laudable perseverance, the measure was finally accomplished, and crowned by the sanction of the entire legislature. The noble lord had naturally enough taken a double view of the Bill, both as it related to the financial arrangements and economical interests of the country; and as it involved considerations of a wider and more general nature, it might not be useless to apprise new members that this was a question which had been for a long period annually agitated within those walls, that it had been contended on one side, that sinecure offices were the nurseries of undue influence, that they were pregnant with abuse, and, *ex vi termini*, had no connection with the service or interests of the state. To this it was answered, and, in many respects, truly anwered, that those great reformers of the public expenditure, Mr. Burke and Mr. Pitt, had considered these offices as furnishing the means of remunerating efficient service, that they were generally bestowed in reward of great talents and great exertions, and that to those great sinecures which belonged to the Exchequer, except in one instance, this description accurately applied. If, then, the object and operation of this measure would be to exclude from the paths of public life and political exertion all those who were not born to hereditary opulence, or supported by powerful connections, he should give it his strenuous opposition. He was sure that such a measure could not be adopted, nor the crown disabled from selecting and rewarding the talents which might be produced in humble life, or compelled to limit the exercise of its bounty to an aristocratical confederacy, without deeply injuring the practice of the constitution. The noble lord had applied himself to the task of courting opposition to this Bill from those against whom he was generally committed in opinion. The noble lord had talked of those who were most in the habit of being in the possession of power, and had, undoubtedly, evinced a great share of liberality and consideration for those parties which had not the same good fortune or perseverance. He confessed that he was no zealot in this cause, but when he saw sinecures fall into disrepute, he considered it to be good policy to provide in some other way for the reward of public merit The noble lord had complained that the duration of service was set up by the Bill as a measure of the claim of individuals engaged in public employments. Now, there must necessarily be some test and some limitation upon the exercise of this prerogative of the crown. It might, indeed, be left to chance, but it remained for the noble lord to show that chance was a more eligible test than that of time; surely it was better to have a certain and definite, than an unlimited and contingent measure of rewarding public service. To complete this system the noble lord ought to repeal the Reversion Bill. It might happen, that a minister of transcendant talents might be dismissed into poverty because all the sinecures were full and granted in reversion. Parliament had made a special provision for Chancellors, because they were taken from a lucrative profession, but in any other office and appointment had left time and duration of service as the measure and criterion of the service. He held in as much scorn as any man those doctrines which would strip the monarchy of its noblest attributes and appendages, and when he voted for the Bill under discussion, it was because it merely proposed a more popular substitute for that which Mr. Burke himself, in his admirable speech on economical reform, had admitted and re-

cognised, as an useful source of remuneration for great and important service, and as almost uniformly flowing in that channel. The principle of time unquestionably applied to mere technical services and exertions, and it had also been applied to the duties of foreign ministers, in a Bill brought in by Mr. Perceval in the year 1810. It was by these regulations possible that a man should acquire a provision for the whole of his life, by remaining for a certain period in some sleepy German court, (he spoke of former Germany,) and performing no other achievement than that of hunting; or pass perhaps thirty years in the court of Naples, without once writing a dispatch, or recording any other fact than the quantity of game which his Neapolitan majesty had destroyed. He would not then attempt to put in competition with these occupations, the claims of him who might be called on to discharge the functions of that office now held by the noble lord, and which he himself had once the honour to hold, who might go forth to allay the storm which had desolated Europe, and mature some mighty plan to shake the tyranny of Buonaparté to its centre, and re-settle the foundations of the world. He confessed that he saw no limitation but that of time, which was not open to objections, paramount to any which he had heard urged against that criterion. Any attempt to enquire into the different species and degrees of service, and to adjust with nice proportion, the rewards or the indemnifications which had been earned, must be an infinitely productive cause of invidious feelings and complaints. He certainly did not think the present Bill perfect of its kind, or calculated to render the country any essential good, but as a decision must be formed upon it, the views and impressions of his mind would certainly incline him to give it his support.

Mr. *Bathurst* thought, that in endeavouring to steer clear of the difficulty of not diminishing the power of the crown on the one hand, and to do away all ground for popular misrepresentation on the other, the framers of this Bill had fallen into still greater inconveniences. On the subject of appointments in the colonies, he agreed that some legislative enactment should take place to limit the licences for absence, and noticed that the noble lord at the head of that department, had, however, done as much as individual exertion could accomplish to remedy the evils which existed, and to render the offices effective. Putting this aside, and looking at the general question, he characterised it as a sweeping measure to alter the whole patronage of the crown. He was surprised the honourable gentleman should refer to Mr. Burke as an example. Mr. Burke who had done what he thought right, and then held his hand, left untouched, and recognized those offices, as fit, proper, constitutional and right, at which the hon. gentleman aimed his reforms. With regard to the argument as to time being a proper measure of public service, he maintained that where it had hitherto been applied, it had acted as a check upon the crown, and not in the sense contended for by the right hon. gentleman (Mr. Canning). As it was, it would be easy to state many cases in which the public service, even in subordinate offices, suffered from its application. He thought that in the estimation of the public, pensions were more odious than sinecures, and concluded by giving his decided negative to the Bill.

Mr. *Ponsonby* thought that the hon. gentlemen, on the opposite side of the House, dealt rather hardly with his hon. friend in giving a direct opposition to his Bill, while in some of their arguments they admitted that there were parts of it which were deserving of their support. If they meant to deal candidly by his hon. friend and by the House, he thought they ought rather to have made a motion for the recommittal of the Bill, with a view to making such amendments as they might think expedient, than to negative it altogether. The right hon. gentleman who had last spoken had objected to the mode of rewarding meritorious services by pension, and had contended, that this plan would be liable to more public censure, would be more invidious and less honourable than the present system of granting sinecure offices. He (Mr. Ponsonby) was, however, prepared to contend, that the public would be better pleased to see persons obtain rewards in this manner; and apprehended if any ill opinion had arisen at the disposal of the public revenue heretofore, it originated in the many instances which had occured in which persons who had not merited reward by their public services, were distinguished by the gift of most profitable offices. He was convinced that the public were too just and too generous to find fault with the grant of proper remuneration, where they saw a legitimate claim. The right hon. gentleman had talked of

the dignity and state which was attached to these sinecure offices, but for his own part he could not comprehend where the dignity or state could consist in offices in in which there was no duty to perform. He could wish that the right hon. gentleman had been more explicit, and had described in what manner the dignity of the crown was to be upheld, by having the power to grant offices to which no duty was attached. He could see no dignity whatever arising to the crown from such a power. The House would be inclined to imagine, from the manner in which this Bill had been entertained, that it was merely calculated to make arrangements for granting pensions, when, in truth, many regulations were proposed of still greater importance, and in which the public were peculiarly interested. He could only lament that this Bill had not been passed a year ago, as he was satisfied, that if this had been the case, many sums would have been saved which had been uselessly and unprofitably applied to persons who had no claims whatever on the generosity of the country. As to the proposition of the noble lord, it went simply to leave things as they were before the House had interfered. The true merit of the Bill, as it was now constituted, was, that it gave to the crown the power of rewarding real services, and took from the crown the power of giving that which ought to be reserved for real services to those who had done no services whatever. In his opinion, the best mode of reward was by pension—it was more economical, more for the advantage of the advantage of the public, more notorious, and more intelligible, than any other mode which could be adopted. It was the duty of the people to enable the crown to reward public services, but this should be done in a manner so fairly and so openly, that the public might be able to judge whether the reward had been rightly bestowed or not, and that every man who paid his quota towards that species of expenditure should see why and on what ground the reward had been given. The noble lord had expressed his concern, that he, and those who acted with him in opposition to ministers, should not have the power of granting offices for five years. From the tone and manner of the noble lord, he was almost led to believe he had an idea of retiring from office; but he had at last qualified his speech, by adding—"if they should ever be thought fit to become ministers of the crown." Those who sat on his side of the House, were, however, very little obliged to the noble lord for his tender concern; but he hoped, whenever they did come into the service of the crown, they would never be found eager to hunt after places, pensions, or offices; but would exert themselves in exercising their abilities for the welfare of their country, and the honour and dignity of the state. The great merit of the Bill was, that it would give power to parliament to reward real merit, and would put it out of the power of the crown to give sinecure offices where there was no merit at all: as such he thought it worthy of his support, and of the approbation of the House.

Mr. *Stephen* objected to the Bill, because it went to cancel all previous merit. If persons had rendered the most eminent services to the state, and to the country, during four years, and at the end of that period quitted office, it would be out of the power of the crown to reward them for their past services. He alluded to what a right hon. gentleman had laid some stress upon, viz. an adherence to office in the noble lord and his friends. The right hon. gentleman had himself been one of those friends for some years, and he could wish to see him once more pass the narrow strait between his present seat and that of the noble lord, though he should be sorry that his services should go unrewarded for five years. It had been said elsewhere, that opposition had the right hon. gentleman's speeches, but ministers had his votes—

"I take her body, you her mind,
Which has the better bargain?"

He (Mr. S.) should, however, be glad to have both body and mind in this case; and that, when the right hon. gentleman gave his side of the House his vote, he would cease to favour opposition with the assistance of his speeches. The right hon. gentleman had said, that sinecure places *ex vi termini* were opprobrious, but that pensions were not so. On this point he differed with him in opinion; he thought there was nothing offensive in the one more than in the other. That high authority doctor Johnson, in the first edition of his Dictionary, had defined the word, 'pension,' to mean "wages given to a state hireling for treason to his country;" and though by his leaving it out of the second edition, it appeared that great lexicographer had changed his opinion, he was afraid the public had not done the

same, but that the impression of the first still remained. He then adverted to that part of the Bill which proposed the abolition of West India sinecures. The salaries of these offices, which were generally held by deputy, while the principal resided in England, mostly arose from incidental fees in law suits, which were not much felt by the litigants, while, in other cases, as in the Admiralty courts, great part of them was paid by foreigners. In some cases it was an advantage that the principal should be resident in this country. From the notorious abuses which existed in courts of justice in the West Indies, it was most important that creditors should not depend for the recovery of their debts on the deputy marshals of courts of justice in the West Indies, but should have a principal resident in this country, where justice could be readily enforced, and who should be responsible for the money placed in the hands of his substitute. On these grounds he must oppose this part of the present measure.

Sir *John Newport* spoke in favour of that part of the Bill, which related to our colonies. He thought sinecure places a burden upon the public, because often conferred upon unworthy persons. When a sinecure office became vacant by the death of the holder, it very seldom occurred that there should be at that exact time any person who deserved the place on account of services performed for the benefit of the country; the consequence was, that the office was conferred upon a person totally undeserving.

Mr. *H. Thornton* thought, if there was any thing in the objections made to the present measure, that the remedy was to be sought in a recommitment of the Bill, rather than in the opposition given to it in its present stage. Even if it might seem necessary to the noble lord and the right hon. gentleman opposite that the 15 great offices should be retained, might they not move an amendment to that effect, allowing the other offices, which amounted to 300 in all, to be abolished?

The *Chancellor of the Exchequer* said, that whatever objections might be made to particular clauses of the Bill, it appeared to him that against its principle no sound argument had been adduced. Length of public service was, perhaps, the best criterion by which to judge of a man's title to the reward of a pension; while on the other hand the expectation of obtaining sinecures might often prove fallacious, and it was placing a man in a cruel situation by making him thus dependent on contingencies. The expectation of reversionary grants which his noble friend had talked of, might prove still more fallacious. It was converting public rewards into a sort of lottery, where every thing depended on chance, and not on merit or service. He did not think the Bill diminished the influence of the crown; but he supported it because it provided rewards for public service in a manner more acceptable to the people than the present mode.

Sir *F. Flood* said, he should not do his duty to that material part of the united kingdom from which he came, unless he supported the Bill. Sinecures without number had been imposed in Ireland; he knew constables of castles with 800*l.* a year where there was not the vestige of a castle.

Mr. *Huskisson* concurred in the view taken of the Bill by his right hon. friend (the Chancellor of the Exchequer.) An hon. and learned gent. seemed to think that the best way of supporting the West India offices, was by fees and perquisites. Were this the case, then the course pursued for the last 30 years, of abolishing fees in the various offices under government, such as the customs, the navy board, &c. was wrong, and ought never to have been sanctioned by parliament. But if the plan of fixing salaries, instead of perquisites, was a good one, then it ought to be followed up in every instance, and extended to the West Indies also.

Mr. *W. Fitzgerald* objected to the Bill, as being the same in shape as that which had before appeared to the House to be objectionable in parts. To prove his assertion, he would advert to the clause which related to the Irish pension list; that clause was similar to one on which he last session moved an amendment, which was carried by a majority of one; it went to reduce the Irish pension list to 40,000*l.* which, at the Union, had been fixed at 80,000*l.* This he considered to be a gross violation of the compact between the crown and the parliament, and he would oppose the Bill as an attempt to transfer to the parliament the legitimate prerogative of the crown.

Mr. *Bankes* explained. In such a state were the revenues of Ireland, that they would not allow of a pension list of 80,000*l.* He read the Act settling the pension list to shew that it did not amount to a compact indissoluble.

Col. *Barry Maxwell* said, the hon. gentleman had not read the whole of the passage which he had quoted,—he would read the remainder, which he contended proved that the compact must continue during the life of the King, and that the parliament might make a new bargain with his successor. He then read the paragraph in question, and at some length opposed the principle of the Bill.

Mr. *Wilberforce* thought the objection which had been just started, was a last resource against the Bill, the principle of which was so clear, just, and unexceptionable, that no man in private could look another gravely in the face, and controvert its expediency. This Bill had received the sanction of the last parliament, and one reason why he was particularly desirous that it should now pass was, lest an aspersion might be thrown out, that parliament was more willing to enquire into, and correct abuses, when they were about to meet their constituents, than when they had just parted from them.

Mr. *Lyttelton* was decidedly in favour of the Bill.—Whatever might be said of the splendor of the crown, it ought not entirely to outstrip the resources of the country. Besides, the offices in question added nothing to the splendor of the crown. They might have had this effect, and really were of that nature in their original constitution, but it was long since they had ceased to answer any purposes either of ornament or use. One or two instances had, he was willing to admit, been pointed out, in which sinecures had been beneficially bestowed: but one or two exceptions could not justify a whole system of corruption. He could not but notice the monstrous assertion that the House of Commons stepped out of its proper sphere, and invaded the prerogative of the crown, in remonstrating against the improvident waste and misapplication of the public resources. In short, he considered these offices as equally useless to the crown and to the country. He looked upon them as decayed and rotten branches of the constitution, which incumbered, enfeebled, and disfigured the parent-stems, and by taking away which, we should add greatly both to its beauty and its strength.

Mr. *Ryder* opposed the Bill, on the ground that it trenched upon the privileges of the crown. He was always of this opinion, and he saw nothing in the arguments that had been offered this night, to induce him to retract it. The instance of the place given the other day by the Prince Regent should be reflected on by gentlemen before they voted for the present Bill. The public had been deluded into a belief that it would diminish their burthens, but they were now beginning to get rid of that delusion. The Bill would only introduce a mere change of name, from placemen to pensioners.

Mr. *Protheroe* gave his cordial support to the measure, and was glad to take this opportunity of meeting the challenge of the hon. gentleman (Mr. Wilberforce) to the new members. He should be sorry if any vote of his was cited as a proof of degeneracy in the present parliament.

Mr. *Croker* regretted that he had not time, or that the patience of the House would not allow him to go into detail to prove that almost all of those places which in this Bill were inadvertently and incorrectly stated as sinecures, were really efficient and important departments of the public service.

Mr. *W. Smith* pointed out the inconsistency of the last speaker, who was confident, that if opportunity was given him, he could detect the inaccuracy of the Bill in almost every particular, and yet objected to its commitment, when he would have all the opportunity he wished. He could not tell whether the arguments of ministers satisfied their own minds, or whether they would satisfy a majority of that House; but he was quite sure that they would satisfy no one out of it.

The House then divided—

For receiving the Report	94
Against it	80
Majority	14

On our re-admission into the gallery we found

Mr. *Ponsonby* speaking against the clause for limiting the Irish Pension List to 40,000*l.* per annum. He had formerly opposed the clause; he would oppose it now, because there was a compact with the crown to which he had been a party, fixing the Pension List at 80,000*l.* Previously to the Act which had been alluded to, the revenue of the crown applied to pensions had amounted to 162,000*l.*; and it was agreed that the crown should give up that hereditary revenue for the life of the King, on condition of receiving 80,000*l.* per annum. Another and a more important clause was, that the crown should accept a civil list for the mainte-

nance of the Irish government. This was thought, at the time, a good bargain, and to those who now thought it otherwise he would say, that there was great difficulty in obtaining it. The compact was a solemn one, and he did not think it good policy to break the faith of parliament, as the crown would struggle to make matters even. Being a party to the compact, he would abide by it, and he should expect the crown to do the same. He would not give his support to the clause.

Mr. *W. Fitzgerald* congratulated himself on the support of the right hon. gentleman, and said, he would leave the question to that support.

Mr. *Canning* concurred with his right hon. friend (Mr. Ponsonby), not so much on account of his great authority, as on account of his testimony, which was valuable as one who was a party to the compact; and he thought it would be better to depart from the clause than to commit the smallest violation of the faith of parliament.

Mr. *Bankes* not finding the opinions of his friends in coincidence with his own, would withdraw the clause.

Sir *J. Newport* read a clause of the Act, to shew that the crown had not kept the bargain it had made, and asserted that 30,000*l.* had been voted by parliament for the use of Ireland, which was provided for by the civil list.

Mr. *Peel* said, if the money had been improperly voted, the hon. baronet had been a party to that vote.

The clause was withdrawn without a division, and the third reading appointed for Thursday.

HOUSE OF LORDS.

Tuesday, March 30.

East India Affairs.] The Earl of *Buckinghamshire* took that opportunity of stating the mode of proceeding in the investigation of the East India question, which, in the opinion of his Majesty's government, it would be most advisable for their lordships to adopt. Their lordships would recollect, that in 1792, the proceedings relative to the East India charter did not commence in that House till the Bill came up from the Commons; but it was thought most advisable in the present instance, that the Resolutions which had been laid before the Commons, should be presented to their lordships, and that a committee of the whole House should, with all the documents before it, proceed to the hearing of any evidence on the subject which it might be deemed proper to offer. This was the mode adopted in two recent very important cases — the question of commercial intercourse with Ireland, and the subject of the Union between Great Britain and Ireland. In this manner he trusted their lordships would be enabled to form an accurate judgment of the nature and bearings of this question, —one of the most important that ever occupied the attention of parliament. He should move, therefore, *pro forma*, that the Resolutions laid before the Commons, with which their lordships were acquainted, should be laid on the table, with the view of moving, that they should then be referred to the Committee.

The Resolutions were then handed in, and ordered to be laid on the table.

The Earl of *Liverpool* said, that it might be convenient now to fix the hour of proceeding in each day on this subject, with a view to the convenience of judicial and other business.

The *Lord Chancellor* said, it would be impossible to do any judicial business at all during the investigation.

Lord *Grenville* suggested, that it might be infinitely more convenient to carry on the examination in a Select Committee. A good deal of valuable time would thus be saved for judicial and other purposes.

The Earl of *Liverpool* had no objection whatever to that mode of proceeding, if it should be deemed most advisable. A committee of the whole House had only been suggested on account of its having been the method adopted in the two instances mentioned by his noble friend near him. He therefore moved that that part of the Prince Regent's Speech which related to the East India Company's Affairs, should be read; which being read accordingly, he moved, that the same be referred to a Select Committee of their lordships, that all the lords who had attended during the present session should be of that committee, and that they should have the liberty of choosing their own chairman; that the Petition of the East India Company, the Resolutions now laid on the table, the Petitions from the outports, and all the documents on the subject, should be referred to the Committee; and that the petitioners should be heard by their counsel, and that the said Committee should sit, and proceed to business on Monday next.—Agreed to.

HOUSE OF COMMONS.

Tuesday, March 30.

Weymouth Election Bill.] Mr. Alderman Atkins moved the second reading of the Bill.

Mr. *Wynn* said, that the House laboured under great difficulties as to this Bill, from the total want of information. He had strong objections to the Bill. By the statute of William, conveyances for the purpose of splitting votes were declared void. This Bill went to put conveyances by devise on a footing with other conveyances. He did not see why this law should be confined to Weymouth; he believed, that in most of the western boroughs, the same method of splitting votes prevailed. This Bill went to disfranchise a number of persons, and this ought not to be done hastily; he acknowledged that the splitting of votes was a great evil, but he thought substitutes ought to be provided for those disfranchised, and care should be taken that the borough should not be put in fewer hands. This case did not resemble any other with which he was acquainted, but it was a case of great importance; and this was the only place besides London that returned four members.

Mr. *Bathurst* said the thing complained of was a novel experiment made of splitting votes by will. There was an Act in existence against the splitting of votes, but it did not anticipate the possibility of doing it by will; but according to the spirit of that Act all devises for the splitting of votes ought to be null and void, in the same manner as conveyances were.

Sir *John Newport* said, he held in his hand a Petition from the inhabitants of Weymouth, praying that the House would not interfere with the independence of the borough. He wished to know only, if the House should attempt to new model the election there, on the ground of convenience, why it should not extend the same proceeding to other boroughs, where there was just as little shadow of right as in the voters of Weymouth? He was advised that the real operation of the Bill would be to lodge the power of returning four members to parliament in about thirty or forty persons. He felt extremely anxious that nothing should be done by the House that might produce an impression on the public that such was the antipathy of parliament to every principle of reform in the representation, that although they uniformly resisted any proposition for extending the elective franchise, they had no objection to narrow its exercise on any occasion which might afford them a plea of mere convenience in so doing.

The *Attorney General* would not protract or enter much into the discussion at present, as a more ample opportunity would occur of so doing. He had only to observe, that if this Bill did, indeed, go to new model a borough, or alter the elective franchise, he could not support it. It had, however, no such object, and was simply declaratory of the law as it stood in the reign of king William. A practice had crept in in the usual course of the progress of an abuse, by which the power of communicating the franchise by devise had been perverted, and carried to the extent of a principle which would countenance an indefinite divisibility. Upon the practice which now prevailed, by which a sixpenny rent was sufficient to qualify twenty voters, it might be extended to the qualification of five hundred thousand.

Mr. Alderman *Atkins* said, it had appeared to the Committee that the only proper remedy which could be applied in this case, without disfranchising the inhabitants, was to designate the value of the rents which should in future be deemed a sufficient qualification. There were no votes now which had been acquired by devise that were of a higher value than five shillings annually, some of sixpence, and one witness had been called who enjoyed eight votes, which were altogether of the annual value of two-pence rent. It was not deemed equitable to give the Bill a retrospective operation, or to deprive those who had exercised the right previously without dispute of this franchise, but to provide against the possibility of a continuance of the abuse, by ascertaining and fixing a certain rent as a necessary title to a suffrage in future voters.*

After some further conversation, the Bill was read a second time, and ordered to be committed to-morrow.

Minutes of Evidence taken before the Committee of the whole House of Commons on the East India Company's Affairs.] The House having resolved itself into a Committee of the whole House, to consider further of the Affairs of the East India Company, Mr. Stephen Rumbold Lushington in the chair; the

counsel were called in; and Mr. Adam and Mr. Jackson appeared as counsel on behalf of the East India Company.

WARREN HASTINGS, Esq. was called in, and examined as follows:

Mr. *Adam.*]—When you were in the council of Madras had you an opportunity of observing what effect the Europeans, not in the service of the Company, sojourning in India, might have produced to the British settlements in India?—I do not remember any effect that was produced by the few Europeans, not in the service of the Company, that did reside in any part of the Carnatic while I was there.

Is the Committee to understand that there were very few Europeans, other than those in the service of the Company, who resided at Madras, or in the neighbourhood of Madras, at the period referred to?—At Madras there was very little distinction with respect to the state of society, or the manners of the people that mixed in it, between the Europeans in the Company's service, and Europeans that were out of the service; I speak of the town of Madras only; there were several battalions of sepoys belonging to the nabob: if I recollect he had European officers belonging to them. I am afraid I do not quite understand the question: if it respects Europeans living in the capital, there could be no difference of manners, nor any thing that could distinguish them, or could make them improper inmates of the capital.

If Europeans were permitted to sojourn in India, according to their own pleasure, and without any restraint, what would the effect of that be?—Most hurtful and most ruinous, both to the Company's interest, to the government, and to the peace of the country. Nothing can be more opposite than the characters of Europeans (I will confine it to the English) and that of the natives of India. I can speak more properly to the natives of that part of India which forms our principal establishment in it, Bengal and its dependencies. The native Indian is weak in body and timid in spirit; he is not unsusceptible of resentment, but without that feeling of shame, which, under the appellation of honour, in the breast of an European, makes resentment a species of law, and which over-rules the fear of law, pain, danger and death. This is not the absolute character of the people taken in the mass; the native Indian is individually such as I have described him; but there are cases in which a provocation of general grievance would excite a whole people, and even a detached number of them, to all the ferocities of insurrection. I speak this only as distinguishing the general character of the people in the mass, from their individual characters; individually they are meek and submissive. The Englishman is quite a different character in India; the name of an Englishman is both his protection, and a sanction for offences which he would not dare to commit at home. There is, besides, the highest idea of a common participation in the sovereignty of the Company, which possesses, I believe, with very little difference, the mind of every Englishman in it; this idea, in the lower orders of the people, rises to despotism, and is liable to all the excesses of despotism, where the prerogative attached to it can be asserted with impunity. The aggrieved Indian has no chance with such a disparity; he may apply to the nearest provincial court of justice, but there difficulties, which could hardly be apprehended in any other country, arrest and impede him: the distance of his residence often from the magistrate requiring more time than he can spare; the expences and delays of the established courts would be an impediment to many an Indian to have recourse to it: the difficulty of obtaining the attendance of witnesses, would be very great and almost insurmountable, from the same cause, and, added to the other causes, would be more likely to prevent his complaining at all, than to quicken a sense of injury to induce him to complain on slight occasions; besides, the affinity of national appellations, language, manners, dress, and possibility of social intercourse between his oppressor and his judge, would impress him with an awe, which the other would either not feel or feel in a very small degree. Such I know would be the effect of a single European, not dependent upon the Company's service, residing at a distance from the seat of government, among the natives of India. But if it is proposed to let loose hordes of men of that character, I think the consequence can be no less than ruin to the peace of the country and to the interests of the Company.

Do you consider that this unrestrained liberty of Europeans sojourning in India, would lead generally to acts of tyranny

and oppression upon the natives, by the Europeans or Englishmen so sojourning at liberty?—It certainly would.

What do you consider the probable effect of this would be, upon the British power in India; I mean always an unrestrained sojourning of Europeans or Englishmen in India, not in the Company's service?—I suppose that the strength of every government, however constituted, must always depend in a great degree upon the affections of the people, and the satisfaction which they feel under the pressure of it. I should think that any great dissatisfaction or disaffection of the people, would be a temptation to any of the neighbouring states, if they saw any opportunity, and opportunities often will happen in the best protected countries, to invade it. There is no tracing the disaffections of a people, through all the chances of internal and external warfare; but that it would be attended with bad consequences, I believe is a theoretical effect that will apply to all states.

Do you conceive it to be possible practically to restrain Europeans sojourning in India according to their own pleasure, to such a residence at the principal settlements or seats of government, as would counteract the effects which you apprehend from such sojournment?—I think it not practicable. This was not always my opinion: I did think that Europeans not in the Company's service, might be confined to the principal settlements, or to certain boundaries without them, by certain well defined and unqualified restrictions; and that with such a guard, the admission of free traders into the country would not only be innoxious, but even beneficial: but this opinion was founded upon the conception that the authority of the Company remained unchanged, and that all British subjects in India, residing in their territories, were virtually as well as legally amenable to it. But if a law should be enacted, against the sense and remonstrance of the Company, empowering British adventurers without distinction to go to India, but confining them to the principal settlements, I think they would transgress the bounds of that law; that with such an independent right, no restrictions whatever would bind them, or prevent them from making inroads into the country, and from disturbing the peace of the inhabitants. The government might interfere: there would be an appeal to the supreme court: in many cases the Company might attempt to assert a power which is vested in them, I believe, by the present charter, if continued to the next, of sending them prisoners to England; but there are many ways by which that might be evaded. The power of the supreme court might afford them protection in many ways, by their becoming either suitors or defenders to it, or in any other way under its immediate authority; and in every instance of the kind, an appeal from the supposed aggrieved adventurers would not always be made to any of the courts of justice, or at least not confined to them, but rather made to the people at home. The public mind, something more than jealous of power, would receive with a prepared and ready assent, every charge of oppression. The remembrance of the opposition which was made by the Company to prevent that licence being generally granted, would be an encouragement to falshood in the complainant, and received as a presumptive proof, that all their acts, and the acts of their servants on such occasions, were prompted by rivalship or resentment. Thus the authority of the Company would be counteracted, their constituted servants would be embarrassed and weakened; and their time, of which they never have much to spare, wasted in petty contests with lawless individuals.

Would not the opening the export and import trade, from every port in this country to every port in India, as is now proposed, necessarily lead to such an unrestrained sojournment of Europeans in India, as would become dangerous to the British government there?—Of the effect which an export and import trade from the out-ports to India would produce upon the safety of the government of the Company, I cannot speak; but if Europeans were allowed to go to the country, and to reside where they please, I speak with certainty, that the peace of the country and the safety of the Company would be endangered by it.

From your knowledge of the Indian character and habits, are you able to speak to the probability of a demand for European commodities, by the population of India, for their own use?—The supplies of trade are for the wants and luxuries of a people; the poor in India may be said to have no wants; their wants are confined to their dwellings, to their food, and to a scanty portion of clothing, all which they can have from the soil that they tread upon, and their apparel almost without any cost.

I am not acquainted with the present state of society in India, but I should conclude that the only opulent of the people are the zemindars, who are almost all, if not all, Hindoos; and the Hindoo officers of the revenue; all their habits are similar, and such as require no aid from our trade. Of the Mahometans, who once constituted the most opulent part of the community, few now remain, I should suppose, but the survivors of the pensioners that we found when we first became masters of the country: and those, from their present impoverished state, certainly would not be able to purchase any of the articles of luxury which our ships could furnish them: I do not believe, therefore, that the demand would be increased by it.

At the time you resided in India, had you an opportunity of knowing the mode in which the wealthy part of the native Indians disposed of their superfluous wealth?—By such means as are common to all countries, with no other difference than that of the common modes of life; they would expend it in dissipation, in their pleasures, in state, but not, I think, in the luxuries of the table, nor in drunkenness.

Were the natives of India in the habit of spending any part of their superfluous wealth in the purchase of European commodities, or did they consider it as part of their luxury, to provide themselves with such articles as Europe furnishes?—Some, most undoubtedly; laces, broad cloth to a certain amount: European furniture was at one time in some request, but not in very great, at the courts of the native princes; few of those articles now would meet a sale there.

Was this general throughout the country, or was it confined to Indians connected with the principal British settlements? —The country is a term of vague interpretation; if I was to confine it to the country of Bengal, which I know better than any other, I should say, that in Calcutta many European articles would meet with a purchase, but little beyond, except what I have mentioned in my answer to the preceding question.

Is not the character of the native Indians in its nature stationary and immutable, and not apt to vary from the original habits of the country?—It certainly is very stationary, I do not know whether it can be pronounced immutable; any constitutional alteration in the system of polity and jurisprudence, as it may afford an opening to new hopes or excite new fears, may give a new direction to their tempers; still the Hindoo would remain materially the same: the general conformation of their bodies, on which the physical and moral character of man depends, is not likely to undergo any alteration: in effect I believe that the Indians now are in their dress, their manners, and in all the habits of life, just what they were at the commencement of the period of their present juge or age, which is perhaps as far as the history of that country extends.

Are the native Indians of the higher or lower orders, who have constant intercourse with Europeans, liable, in consequence of that intercourse, to adopt European manners, habits and fashions?—I have seen instances of that in men who from a servile principle affected to imitate the European manners and habits, but instances of that kind are very rare.

During the period of your residence, was there an exportation of European or English common articles exposed in the principal settlements for sale?—Certainly; in all the principal settlements, and is so now.

Can you state what degree of vent or sale those articles had among the native population?—I cannot; I should conceive that the European inhabitants would be equal, if not the principal purchasers.

Mr. *Hastings.* May I be permitted to add one observation, as a close to the evidence which I have given in answer to the questions which have been put to me respecting the consequences of an unrestrained intercourse of Europeans, not in the service of the Company, with the natives of India; for, from I believe the uniform tenor in which my opinions have been delivered, it is possible, but I hope not, that suspicion might be entertained, that I have delivered them under the bias of an attachment to the East India Company. It is necessary that I should obviate the possibility of such an imputation on the credit of the evidence which I have delivered. An attachment to the Company I certainly do feel; an attachment of gratitude for the service which has given me bread, and employed what I possessed of talent, during all the active part of my life; and for the bounty from which, though its source is now closed, I still draw my subsistence: but neither is this the place, nor the present an occasion, to admit of the influence of that sentiment: I wish to prove that this profession is not loosely

stated, nor the declarations which I have made, made on slight grounds; and that my opinions are neither new, nor drawn from me by the occasion. Twenty years ago, when the present charter was under consideration, I addressed a letter to the chairman, or chairmen for the time being of the court of directors upon this very subject: in which, so far as I can trust to my recollection, I strongly urged the necessity of providing against the irruption of British adventurers into India, and beyond the bounds of our settlements; arguing from it, that they would molest and oppress the people, and plunder the country: and I believe I expressed a wish that some provision should be made against it, in the charter then depending. I have either lost or mislaid the letter, so that I have no access to any copy of it: therefore I can only speak to its identity, and to the general import of it. I mention this to show that it is not a novel doctrine which I humbly deliver to this honourable House. My letter, I know, was seen, and I have a pleasure in thinking that it was approved, by the gentleman that then presided over the board of commissioners for the affairs of India; a man, who certainly, if it could be said of any man, required no light from the judgment of another to aid his own; and therefore it would be the height of arrogance in me to suppose that I had any share of merit in the event which followed. I have mentioned the fact only to show how early my opinion was formed, and with what anxiety and earnestness I acted upon it. A clause was inserted by Mr. Dundas, in the act of parliament and in the charter constituted from it, by which it was enacted, "that no British subject not being a servant of the East India Company should be allowed to reside in India, except at the principal settlements, unless by a special license from the Company or the governors of India." This license I thought defeated the essential purpose of the prohibitory clause; but I waited till another occasion induced me to address the court of directors through the similar official channel of the chairman and deputy chairman of that body; which I did, in a letter dated the 12th of March 1802, strongly remonstrating against this exception to the general clause, as liable to be productive of greater mischiefs from the few favoured Europeans who were allowed the benefit of it, than if all men indiscriminately were allowed to possess the same privilege. Again, on the 28th of April last, I a third time took up the same subject, and addressed a letter upon it to the present chairman of the court of directors, reiterating my former objections, and the arguments connected with them, and proposing as a means of preventing the deprecated abuses, certain restrictions to which I have alluded in my answer to one of the first questions proposed to me: this letter contains all that I had written upon the same subject in my preceding letter of March 1802, in a quotation from it; this will, and the first letter which I have mentioned would (if I could produce it) strongly prove that such always was my opinion. This honourable House will have ample means of knowing, from more recent testimony than mine, whether the mischiefs which I apprehended have actually come to pass, and the records of the court of directors will afford a more authentic evidence still of their existence, if they have existed. I have the permission of the court of directors, in whose possession the last letter is, and I humbly refer this honourable House to it; and if this shall appear to be clearly the case, the inferences that I drew, so long ago as twenty years past, of the connection between the allowance of British adventurers in India, not in the service of the Company, with its influence on the peace of it, and the reiteration of the same opinion through so long a series of time, to be no longer argumentative, they were predicted, and in that sense are an irrefragable proof that such consequences must inevitably follow such premises.

(Examined by the Committee.)

Do you recollect, during the time of your residence in India, whether any persons employed themselves as missionaries in converting the natives to the Christian religion?—I do; I remember a very worthy gentleman in that character, Mr. Swartz, in the Carnatic, another in Bengal, named Kiernander; I do not know whether I can call him a missionary; he was sent out from London, and supported, I believe, by the Society for propagating the Gospel. I remember his conversion of one Indian, because it was announced with great pomp and parade. I also recollect a Catholic priest, who resided somewhere in the district of Dacca, and had a large flock of men, whom he called Christians, about him; but he himself appeared to me to be ignorant of the com-

mon languages of the country; and that his converts were Christians only in name and dress, but could not have acquired a knowledge of our religion from a man who had no medium of language to communicate it. I do not recollect any others; I know there were more of the Catholic missionaries.

Were the persons so employing themselves as missionaries, under the control and subject to the restraint of the Company?—I do not know that Mr. Swartz could be considered as a subject of the Company; he visited, and occasionally resided, I believe, in every part of the peninsula, and was every where respected. Mr. Kiernander, whom I too inconsiderately named as appertaining to this character, was a constant resident in Calcutta, and equally amenable with every other inhabitant of it, to the British laws and government. The Catholic priest I have mentioned I knew during the time in which the nabob Jaffeer Ally Cawn held the nizamut; he was then very old; I do not know whether he survived the revolution that afterwards took place in the government of that country.

What in your opinion would be the consequences, if persons were allowed to employ themselves as missionaries in converting the natives to the Christian religion, unlicensed and subject to no restraint on the part of the Company?—Unlicensed, and under no restraint? I do not know how that possibly could be, therefore I beg that that may be expressed with a little greater latitude.

Unrestrained as to the mode which they may think proper to adopt for effecting their object of converting the natives to the Christian religion?—I cannot tell what the effect would be generally; if such a case had happened when I held the first place in the government of India, and such persons demeaned themselves properly, I should have taken no notice of them; but if they gave occasion to a belief that the government itself tacitly encouraged their designs, from an apprehension of the consequences which such a belief would produce upon the minds of the people, and especially the irritable spirits of the Mahomedans, I certainly should have checked the attempt, and withdrawn them to Calcutta, or, if they afforded sufficient cause for it, compelled them to quit the country; when I speak of myself in the first person, I mean I should have recommended that conduct to the members of the government over which I presided.

Upon what grounds do you form your opinion, that the residence of certain persons in India by license, would be more dangerous to the interests of the Company in India, than the indiscriminate resort of all Europeans to India?—If it refers to the license which is made an exception from the prohibitory clause in the Act of parliament, my objection is a very strong one. Other adventurers would go under the jealous eye of government, and would excite their attention, and government would certainly use the most efficient means in its power to keep them under control: but if none were allowed to go into the country with a permission and license to trade in it, to erect factories and dwelling houses, and to carry on a traffic with the natives, but such persons as went out patronized by the Company or by the governor of the presidency, those are the worst men you could let loose amongst them; they would go armed with power and an influence which no man would dare to resist; and those are the men that I should apprehend more danger from, than an indiscriminate rabble let loose upon the country; in opposing the attempts of such men, every man would think that he was acting in opposition to their patron.

Did you or did you not, as governor general of Bengal, at different periods after the Company began its practice of laying in investments from its tribute, remonstrate by letter to the court of directors, upon the pernicious effects of this system?—I remember no such remonstrance; and if I clearly understand the intent of the question, I think I could not have made such remonstrance; at the same time I am well aware that something implying it must exist in that report, or the question would not thus be put to me. I ought long ago to have apologized to this honourable House, and to have bespoken its indulgence for any inaccuracies, or for any hesitations or mistakes which I may have committed in delivering my evidence. I have never, in any part of my life, been accustomed to speak in public, and I am now less qualified for it at my very advanced time of life; with this apology, I hope it will not give offence, if I say that I do not clearly understand what the Company's tribute is.

By tribute is meant dealing in the superfluous rent, after paying all charges

civil and military, applying the superfluous rent in the purchase of investment?—It was the custom of our government ultimately to bring all receipts of money, however produced, into one indiscriminate head of treasury; all our advances for the different services of the government were made from this general mass; and I do not know how, in such advances, any discrimination could have been made of the peculiar fund from which it had been supplied. I am afraid I speak from weakness of apprehension; but I am very willing to refer to the documents themselves, which will better show than any comment I could make upon them, if I saw them, whether my conduct and opinions, delivered at that time, were contrary to the general mode which I have described.

What is your opinion as to the political effect of the measure proposed, respecting a church establishment for India?—The question is one of great intricacy, and of such delicacy, that I should almost fear to speak to it; but that my respect for this honourable House enjoins it; because, though it specifically mentions only political effect, yet it intimates no allusion to the nature of the office itself; of the religious uses or present necessity of such a creation, I cannot be a judge, and therefore can say nothing to it; and unless I knew both circumstances, and the objects of the creation, it would be impossible for me to conjecture in what way they could affect the peace of the country. May I say without offence, that I wish any other time had been chosen for it? A surmise has gone forth, of an intention in this government to force our religion upon the consciences of the people in India, who are subjected to the authority of the Company; it has pervaded every one of the three establishments of Bengal, Fort St. George and Bombay, and has unhappily impressed itself with peculiar force upon the minds of our native infantry, the men on whom we must depend in the last resort for our protection against any disturbances which might be the effect of such surmises. Much would depend upon the temper, conduct, and demeanor of the person elevated to that sacred office. I dare not say all that is in my mind upon this subject; but it is one of great hazard.

Would there be, in your opinion, the same danger now, as 20 years ago, from the admission of Europeans into India, considering the great political changes which have taken place in that country?—I think there would be as great danger; from circumstances, I think the danger would be greater. There were not the same pretensions then raised as have since been; and any such adventurers now would go out armed with rights, which at that time were not thought of.

Do you think there would be any danger to the British interests in India, from the residence of a few additional European merchants and agents at the different presidencies, or from their admission occasionally into the interior of the country for mercantile purposes, under the present restrictive regulations of the Company?—I think there would; I think I have already said so, and assigned my reasons.

What is your opinion of the effect of the union of the sovereignty and commerce of India, in the hands of the Company; is it beneficial, or otherwise, to the interests of that country?—The sovereignty of the Company is certainly beneficial to the country. The union of its commercial with its political interest in it, has never yet produced, to my knowledge or belief, any detriment to the inhabitants; I do not know how it should. Their investment affords a livelihood to thousands; it animates the industry of the people, and is equally beneficial to both. I know not whether this question alludes to a trite maxim, that a government can never take upon itself the conduct of mercantile concerns, without injustice and oppression. I suppose the meaning of this maxim is, that it would apply all its authority and influence to exclude or oppress all its competitors. The Company have no competitors yet; and I know not in what other sense the union of the two concerns can be deemed incompatible.

Are you of opinion that the commerce of India, as at present regulated, is as advantageous to that country and to Great Britain, as it would be, if free and equal to all the subjects of Great Britain?—Certainly, as much, and much more so.

Do you recollect having written a review of the state of Bengal, many years ago?—I do.

Do you recollect having stated, in that review, that although we had been so long in possession of the sovereignty of Bengal, yet we had not been able so far to change our ideas with our situation, as to quit the contracted views of monopolists; and that thence, in all the correspondence of the board of trade were found constant

complaints of private merchants making advances to the Company's weavers, and their giving greater prices than had been hitherto given by the Company; upon which occasion did you express, as your opinion, that it was of less consequence that the investment should be procured cheap, than that the commerce of the country should flourish; insisting upon it, as a fixed and incontrovertible principle, that commerce could only flourish when free and equal?—I do not remember those words in the publication of mine alluded to; I have no doubt they are there, but I do not come here to defend my own inconsistencies; if I have expressed myself in the terms which I have listened to, and clearly understand them, I positively abjure them; they are not my present sentiments: my sentiments are, and I cannot say when I changed them from others of a different description, that the commerce of every country, how much soever extended, is beneficial to it abstractedly considered, without any other circumstances connected with it. With this sentiment I was of opinion, when the rumour first existed of an intention in the Americans to send ships to the port of Calcutta, that they should be admitted, and that they should be even encouraged to come: I think such admission, if allowed as an indulgence, and not conceded or enacted as a right, would be good policy, not only with the Americans but with every other country: but I should think it a very unwise policy to grant it as a right; because in the first instance, the government would hold an effective controul over the trade to prevent the abuse of it; and in the latter they would have a national interest to contend with in every disagreement, and involve its own parental state in the contest.

Would it be consistent, in your opinion, with the security of the British empire in India, to allow missionaries to preach publicly, with a view to the conversion of the native Indians, that Mahomet is an impostor, or to speak in opprobrious terms of the Brahmins and their religious rites?—It would neither be consistent with the security of the British empire in India, to treat the religions established in the countries of their dominion with contempt and opprobrium; nor with common humanity. If such a declaration of war was made between the religions of the country, between the professors of ours and those of the established religions, I know not what would be the consequence. There have been among the Mahometans, bigots more ferocious than any that have shed the blood of their brethren in Europe. If a fanatic should arise amongst them, and preach the doctrines inculcated in their Koran, I do not think it impossible that he might excite the zeal of thousands of abettors, and a religious war be the consequence of the first provocation. I do not say that such an event is likely to happen; but such have happened; and our government is not exempt from the chances of their recurrence.

Was the Christian dress worn by the converts, to whom you alluded in your former answer, of European manufacture?—I never saw them; but they were of the meanest of the people, and I should doubt whether they had any garments at all, more than the most necessary and scanty portions of dress, such as belonged to that order of the Bengalees.

In your calculation of the mischiefs that will arise, in consequence of individuals residing in India, who are not servants of the Company, can you make any distinction between Americans and British subjects?—By individuals, I meant British subjects only.

Can you state to the Committee any distinction between Americans and British, or Europeans?—If at any time I have mentioned Europeans, which I do not recollect, Americans could not have been at that time in my recollection, or I should have included them as participating in character, though not in name, of the same order of people. I certainly make a distinction between Americans and British.

In what does that distinction consist?—In the right of appeal, which an Englishman could make to the laws of his country, or the prejudices of his countrymen. I do not mean that our government should not be amenable to the laws; but at the distance of India from the parent state, such appeals wantonly made would prove vexatious to government, and uncontroulable in many instances. The American competitor possesses no such advantages; but if, peace being restored with America, they shall be allowed a right, under the sanction of a treaty with our nation, to trade in all the territories of the Company in India, I think American adventurers of the same character as those whom I have described in speaking of adventurers from Great Britain, would be equally mischievous: that I understand did not happen

when the Americans were allowed, I forget on what terms, but I believe of a right, to trade with our settlements in India; nor do I know that they ever went beyond the capital settlements, or that they afforded any ground of complaint. [The witness withdrew.]

The Right Hon. Lord TEIGNMOUTH was called in; and a Chair being placed for his Lordship within the Bar, was examined as follows:

Mr. *Jackson.*]—How long was your lordship in the service of the East India Company?—From 1768 to 1798. I was not the whole time in India, but constantly in the service of the Company during that period; of that period I was 24 years resident in India.

How long did your lordship fill the office of governor general of Bengal?—About four years and a half.

During any part of your lordship's service, were you in the revenue department?—I was chiefly employed in that department before I succeeded to the situation of a member of the supreme council.

Did such employ afford to your lordship an ample opportunity of studying the characters, manners, and habits of the natives?—I certainly endeavoured to form an opinion of the character and habits of the natives.

Did your lordship acquaint yourself with their languages?—I was acquainted with the common language of India and the Persian.

Looking to such character, manners, and habits, and supposing an influx of Europeans to have access according to their discretion, to every part within the limits of the charter of the Company, and to sojourn there, according to that discretion and their own opinions, what effect do you suppose that such sojournment might have upon the general interests of the Company, or of the British empire in India?—I should think that an unrestrained influx of Europeans into India would be prejudicial to the interests of this country, as connected with India. People unacquainted with the habits and characters of the natives, are not disposed to give that weight to their prejudices, which people brought up in the country are disposed to give.

Supposing that influx to consist of seamen and traders, would those evils to which you refer, be likely to occur?—Not in the same degree, in my opinion, as would occur from an unrestrained admission of Europeans into the interior of the country.

Are there not many sea-ports on either side of the peninsula, at a considerable distance from either of the principal seats of government?—I believe there may be some, both on the Coromandel and the Malabar coast; but I do not recollect at present, any sea-ports where there is not some established authority on the part of the Company.

Supposing such an influx to have access to such ports, might it not be difficult to restrain them from making their way into the country?—Under the present system of regulations established in Bengal, I should think that they might be in a great measure restrained from penetrating into the country; or if they succeeded, that the police would discover them, they might be stopped, and would be sent back.

Supposing a free trade to take place from every port in the United Kingdom to every port within the limits of the Company's charter, at the discretion of the adventurers, is it not likely that the numbers would increase in a very considerable degree?—At first, the numbers I think would be great; but the disappointment which I should conceive would arise in the commercial speculations, supposing them to be carried on to the extent specified in the question, would prevent that great influx of Europeans which it supposes.

While those numbers should continue great, would not the difficulty be considerable of restraining them, either as to conduct or place of abode?—It would be difficult in proportion to the numbers, but not altogether impracticable.

Supposing such adventurers to meet with the disappointment alluded to, would not they be driven to seek other means of maintenance in India?—They probably would attempt it, and some might contrive to obtain a residence in India.

If such free trade be allowed not only directly to the ports within the limits of the Company's charter, but coastwise from port to port, would not then that difficulty be increased, or rather would not such restraint become wholly impracticable?—I do not think the restraint would be impracticable, where the Company's authority extends.

Supposing, under the circumstances stated, of coasting from port to port, and the unlimited communication which has been described, the restraint should not

be found sufficient, what do you then apprehend from the unrestrained intercourse which would take place between such persons and the natives?—If there were an unrestrained intercourse between such persons and the natives, that is, an intercourse that could not be restrained, it would imply a defect in the exercise of the superintending powers of the government that would in fact amount to a suspension of its functions; and in that case an unrestrained multitude would certainly be dangerous in many points of view.

Supposing such defect to exist, will your lordship state the evils you apprehend would arise from such intercourse with the natives?—There is one general consequence which I should think likely to result from a general influx of Europeans into the interior of the country and their intercourse with the natives, that, without elevating the character of the natives, it would have a tendency to depreciate their estimate of the general European character: such an effect I should think highly dangerous in a country, where the estimate of the power of the government depends greatly upon opinion, in a country where the proportion of the natives to the number of Europeans is probably not less than 2,000 to 1; other inconveniencies would arise in this way, from a disregard to the peculiar prejudices of the natives, and by a conduct calculated to irritate them.

Does your lordship think that such intercourse would tend to shake that opinion, upon which you have stated so much to depend?—It certainly would have a tendency to it, which tendency would be very much increased by the number of Europeans.

Would not also much depend upon the station in society that such persons filled? —I think it might; but probably the evil would be less likely to arise from people in a higher station of society, than from those in low ranks of society.

If they were composed of seamen and traders?—If they were composed of seamen and traders, the danger would be proportionably great, I conceive.

Would there be danger of oppression towards the natives, among other dangers? —Occasionally acts of oppression might be exercised; but in the present efficient state of the administration of justice in Bengal, I should suppose few acts of oppression could be exercised, for which redress might not be obtained.

At present are Europeans answerable for their conduct in any criminal courts, except the supreme courts at Calcutta or Madras, and the recorder's court at Bombay?—European foreigners, not British subjects, are subject, I believe, to the native courts established in the interior of the country; British subjects, in criminal matters, to the supreme court of judicature in Calcutta only, to the court at Madras, and to the recorder's court at Bombay. In civil suits, British subjects are amenable to the country courts in Bengal.

If violence or oppression were to take place up the country, would the native have any means of bringing the oppressor to justice, unless he could afford to indict him in one of the supreme courts, or the court of the recorder at Bombay?—I would wish to confine my answer to Bengal only, with which I am better acquainted than with Bombay: A native, under the circumstances described, would be obliged to apply for redress to the supreme court of judicature in Calcutta, if it were a criminal action.

If adventurers were to make their way in any numbers up into the country, is it your lordship's opinion that the present power of the magistrates would be equal to their entire controul, or the prevention of their intrigue?—In proportion to their numbers, the difficulty of controuling them would be great; but by a proper exertion of authority, I think it might in a considerable degree be effectual.

Does your lordship apprehend any evil consequences to arise from such persons being allowed, for the purposes of trade, or the professed purposes of trade, to pervade any material part of the interior of the peninsula?—I should suppose that no persons would be allowed to go into the interior, but by the knowledge and consent of the governing power; exclusive of those inconveniencies which I have already stated as possible to result from a general intercourse of Europeans with the natives of India, no others occur to me at present.

Supposing them for the circumstances of the free trade, and their consequent numbers, to elude that vigilance, what are the evils which you apprehend?—The evils which I have already stated to arise from a general intercourse of Europeans with natives.

Does your lordship suppose that opening the trade to India would lead to a much greater degree of consumption of

European articles by the natives of India, than takes place at present?—I certainly do not.

Will your lordship have the goodness to state your reasons for that opinion?—Those reasons are founded upon the particular habits and customs of the natives. I know very few articles of European manufacture that are used by the natives in general, or that are likely to be used by them in any considerable degree.

Does your lordship know of any wants of that description, that have not been most amply supplied by the existing system of commerce to India, with regard to European articles for the consumption of the natives, as far as that consumption may go?—I am not aware of any.

Does your lordship conclude, that any material increased consumption of European articles upon the part of the natives, is wholly unlikely?—I think very improbable.

Has the intercourse between the natives and the Europeans, at the principal seats of government, apparently induced any taste or desire towards the greater use of European articles?—There may have been some few instances in which the natives, out of compliment to Europeans, those natives in particular who are in the habit of giving entertainments to them, may have introduced some European articles of furniture. The nabob of Oude had amassed a very large collection of European articles, but I do not recollect any other native who had imitated his example; from my own experience, I should not suppose the desire or taste mentioned in the question, to exist in any but a very limited degree.

With regard to the great bulk or mass of the population, have they it in their power so to indulge, were it their desire?—I should think not.

Have those who have had the means of accumulating some property, directed their expenditure towards European articles?—Not according to my experience.

(Examined by the Committee.)

Would it be consistent with the security of the British empire in India, that missionaries should preach publicly, with a view to the conversion of the native Indians, that Mahomet is an impostor, or should speak in opprobrious terms of the Brahmins or their religious rites?—I think the practice of preaching publicly the doctrines as stated in the question, would be attended with danger; but I do not think it is at all necessary that such doctrines should be publicly preached for the purpose of converting the natives of India; there is nothing, as far as my experience goes, in the character of a missionary, that is offensive to the people of India; and if his conduct is regulated by prudence and under the influence of that piety which he professes to teach, I think that he will be highly esteemed by the natives. The question states public preaching; there is a distinction between public preaching and conferences with individuals; what might be said in conversation to an individual upon these topics safely, might not be said safely when publicly preached to a multitude. I recollect in an account which was printed of the first Danish missionaries, I believe about the year 1717, there are conversations between the missionaries and natives, and this at a period I believe, when the authority of the natives was established in India; all those conversations go upon this principle, that the religion which the missionaries meant to preach was true, and that which they meant to oppose was false. I do not recollect that any ill consequences appear to have happened from such conferences between those Danish missionaries and the natives on the Malabar coast.

Would the dangers that might result from the exercise of an indiscreet zeal to change the national religions, be greater or less in India than most other countries, from the peculiar habits and feelings of the people?—I have no hesitation in saying, that the dangers attending an indiscreet zeal would be considerable; at the same time, we have proofs, that a judicious and prudent zeal may be exercised effectually, and to the conversion of the natives.

Would it be desirable, in your lordship's opinion, that persons professing to teach Christianity in India, should act under the licence and controul of some ecclesiastical authority residing in that country?—I should think it would be more advisable to leave the controul at the discretion of the government of the country, who would be much better judges how to exercise that discretion prudently.

Is your lordship aware that an opinion prevails in India, that it is the intention of the British government to take means to convert the natives of the country to the Christian religion?—I never heard it, nor suspected it.

Has not your lordship heard, that one of

the chief causes of the mutiny at Vellore, in which a British regiment was massacred, was an opinion of that kind?—I certainly did see it asserted in print in this country, but I took some pains to clear up that point, and cleared it up completely to my own satisfaction that the assertion was totally without foundation; I would beg leave to mention, that my opinion upon the subject is in print, in a pamphlet that does not bear my name, but was very well known to be written by myself, entitled, "Considerations on the practicability, "policy and obligation, of communicating "the knowledge of Christianity to the na-"tives of India." I refer to that pamphlet, as containing an answer to the question put to me.

Allowing the opinion, stated before, to have existed in India, of the intention of this government to force the Christian religion on the natives, would not the sending out a bishop tend to strengthen that opinion?—I should think it would be viewed with perfect indifference by the natives.

Your lordship having stated, that you have known proofs of persons being converted from the Hindoo to the Christian religion; will you state where those instances have occurred?—The proofs to which I referred, were the conversions by Swartz on the Coromandel coast.

Does your lordship know any instance of a respectable Hindoo being converted to the Christian religion?—When I was in Bengal, I do not recollect that there were any missionaries from this country in that part of India, excepting for a short time before I left India, and I had had no knowledge of them, so that I cannot speak of any conversions of my own personal knowledge in India.

Should any provision be made in an act of parliament, empowering missionaries or others from this country to go to India for the purpose of converting the Hindoos to Christianity, do not you think it would be a document placed in the hands of our enemies, of the agents of France, or any other agent, of which they would make an ample handle to set that country in a flame?—I do not think that the agents of France, or any other public enemies, would be able to make that use of it.

Your lordship does not then think, that were the Hindoos possessed with an idea that we had an intention of changing their religion and converting them into Christians, that it would be attended with any bad consequences at all?—I will expatiate a little in my answer to that question. Both the Hindoos and Mahometans, subject to the British government in India, have had the experience of some years, that in all the public acts of that government every attention has been paid to their prejudices, civil and religious, and that the freest toleration is allowed to them; that there are many of the regulations of government which prove the disposition of government to leave them perfectly free and unmolested in their religious ordinances; that any attempt at an infringement upon their religion or superstitions would be punished by the government of India: with that conviction, which arises from experience, I do not apprehend that they would be brought to believe that this government ever meant to impose upon them the religion of this country. [His lordship was directed to withdraw.—His lordship was again called in.]

Is it relying upon the good opinion that the natives have of our conduct hitherto towards them, your lordship has answered; or will you give a direct answer to the question, without; that should the state of things be altered, and we not observe that conduct we have hitherto observed, but introduce new modes and enact new laws for the carrying into effect the converting the natives to Christianity, that that would not be attended with disagreeable consequences to us?—If a law were to be enacted for converting the natives of India to Christianity, in such a manner as to have the appearance of a compulsory law upon their consciences, I have no hesitation in saying, that in that case it would be attended with very great danger.

Is it not rather your lordship's opinion, that the good effects to be derived from inculcating the precepts of the Christian religion amongst the natives of India, had better be attempted by what is termed conferences, than by any enactment in an act of parliament?—If that enactment goes only to allow persons to reside in India, for the purpose of instructing the natives in the doctrines of Christianity, I mean as far as they are willing to receive them, I should see no danger in it; in truth I believe that all attempts at conversion are by conferences between missionaries and individuals, and that public preaching is seldom resorted to, till there is a congregation of converted Christians.

Does your lordship know of any converted societies or congregations?—I un-

derstand the question to have a reference to my personal knowledge; I have no personal knowledge, but I have heard and read of conversions since I left Bengal, which I received as creditable and authentic.

Does your lordship know of any missionaries, who have conducted themselves indiscreetly?—I recollect some years ago, hearing one or two instances alleged of misconduct in the missionaries; I do not recollect now of what nature they were; probably instances of injudicious zeal.

Is it not usual for Europeans, on obtaining permission from government to go into the interior of the country, to enter into a penalty bond to hold themselves amenable to the courts of adawlut in all civil cases, with the view of protecting the natives from injustice and oppression in their commercial dealings with Europeans?—I do not recollect whether they enter into a penalty bond or not, but that they are amenable in civil causes to the courts of adawlut in point of fact, which gives the same protection as if they entered into a penalty bond.

Has it, or not, been found fully to answer the purposes intended?—I recollect no instance to the contrary.

Would there not be in your lordship's opinion, a greater consumption in India, of our manufactures, if they could be supplied cheaper?—I hardly know what articles of our manufactures are consumable by the natives, excepting perhaps some woollen cloths; certainly some people, if they were much cheaper, might be induced to purchase them, who do not now purchase them: but as to manufactures in general, I really do not know what manufactures of this country are used by the natives in India.

Would not our woollens, in particular, be acceptable to all classes of natives, and of all religions, in the cold and rainy seasons, if they could afford to purchase them?—I know of no objection on the score of religion to the use of woollens in that country; but if the natives had preferred them to their own manufactures, I should think they would have used them in a much greater degree than they have hitherto done: if they were much cheaper than they have been hitherto sold, the sale of them might probably in some degree be extended.

Does not your lordship think the natives would prefer our woollen manufactures to their own cotton manufactures, in cold weather?—I think some of the natives who could afford it, would prefer the woollen to the cotton; but the poorer people cannot afford to purchase them, and the higher class prefer their own shawls.

When your lordship speaks of regulations and restrictions, by which the influx of Europeans may be prevented into India, do you speak of India generally, or only of Bengal?—Whenever I have mentioned India, I meant particularly that part of India in which I have resided; but in all those parts where the Company's authority extends, those regulations and restrictions might be adopted.

Would your lordship have the goodness to state what are the sort of regulations and restrictions to which you allude, when you speak of providing against the influx of Europeans into the interior, provided an open trade were established by law?—The regulations would be, that the commander of every ship would give an account of all his passengers; and the police would be directed to prevent any European, or, under the present regulations, would stop any European from petrating into the country, without a pass or authority for that purpose.

Your lordship has spoken of other ports on the coasts of Malabar or Coromandel; does your lordship think regulations of that kind could be practically enforced at those ports?—At those ports where the Company have a settlement and a jurisdiction, where there are police magistrates.

Are there any ports, where the Company have no such police magistrates, though they have a jurisdiction, into which ships might run, who had it in contemplation to land passengers to go into the interior?—The whole extent of the coast from Madras to the Bay of Bengal, I believe, is open to ships, where Europeans might be landed; but I do not recollect any port, except ports where the Company have authorities on the spot.

Supposing a ship to go with a view of landing passengers in India, is your lordship aware of any present regulations, or which could be enforced, to prevent an influx of strangers into the interior of India?—Strangers might certainly go into the interior in the manner described in the question, but they could go to no place where they would be without the cognizance of the police in India, and they would be amenable to that police.

What is the nature of that police, and the strength of it at present?—An Eu-

ropean, under the title of a magistrate, has a certain jurisdiction; and there are natives who act under his authority, and who will make their report to him of all the occurrences within their particular superintendence, as for instance the arrival of an European, or any thing else that might happen; but I really speak without sufficient recollection of the regulations for the police magistrates, which regulations are in print, and would explain the matter very clearly.

By an open trade, would your lordship understand a trade subjected to such regulations, that no person could go at all into the interior of India, without being liable to recal, provided he had not the special licence of the magistrate at the port at which he landed?—Under the existing regulations of the government, no European can go into the interior of India, without permission from the government at the port at which he lands; and I should suppose that some such permission would be required under any opening of the trade whatever. I think, if an unrestrained admission of Europeans into India were permitted, that it certainly would be attended with danger, and with the consequences which I before pointed out as resulting from an unrestrained admission of Europeans into the interior of India.

Is your lordship of opinion, that any regulations can be devised of a nature altogether practical, and to prevent strangers going into the interior of India, the whole coast of India being open to them?—I have already said, that I think they may obtain admission into the interior of India, under the circumstance of the coast being open to them, and that no regulations could be established probably that would prevent it altogether; but that when they get into the interior of India, the vigilance of the police might detect them, and they might be apprehended and sent back again.

By the vigilance of the police, your lordship means the native officers attendant upon the magistrates, whom you have spoken of as being the persons to give the information?—Not altogether, though principally so; because, if a European were to go to any place, the residence of a police magistrate, he might know it by other means than that of his own officers.

Is there any magistrate under whose cognizance he would fall, if he were to go to Poonah or Hydrabad?—When I spoke of the interior of India, I meant that part of the interior which is subject to the Company's jurisdiction or authority; I did not mean to allude to any places in the possession of the Mahrattas, or without the jurisdiction of the Company.

Supposing the case of a person landing on the coast of India, being desirous of going to a place where those magistrates do not reside, what difficulties would those persons encounter?—In some cases it might be very difficult for him to penetrate to any place beyond the jurisdiction of the Company; and in some there might be a facility for it; but I should suppose that, generally speaking, no great number of Europeans could proceed into the interior, beyond the jurisdiction of the Company, without great probability of their being detected by the way.

Does that answer allude to Bengal and its dependencies, or to India generally?—To India generally; the difficulty would be much greater in Bengal than in any other part of India.

Do you conceive, that if, by an act of the legislature, the right of every person in the British empire to go to India were recognised, it would not materially weaken the power of the government, to enforce the regulations of which your lordship has spoken?—I think it would.

Does not your lordship know of any ports on the peninsula of India, belonging to native powers on the coast of Malabar?—I believe there may be, but I really do not recollect; I speak from want of recollection; if I had a map before me I could answer the question satisfactorily.

Does your lordship know of any regulation of the Company, that could prevent Europeans landing at those ports?—None; unless there should be some specific treaty between the Company and the native powers, in whose possession those ports are.

Referring to the low rate of wages, of labour in India, is it your lordship's opinion that the purchase of our woollens is within the reach of the means of the great mass of the population of that country?—I should think certainly not.

Does your lordship believe that there are any other articles of European manufacture which are within their reach, so as to give a prospect of extending considerably, in the case of a free and open trade, the export of those articles to India?—I do not recollect any.

Does your lordship happen to know what the rate of wages is in India?—I cer-

tainly once knew, but have forgotten; I know that subsistence in India may be procured easier than in any other part of the world, and that a native of that country, for 3s. a month, may live luxuriously; that may be some rule for estimating the rate of labour.

Your lordship having stated 3s. a month to be sufficient for the subsistence of a labourer in India, does your lordship happen to know what further sum may be necessary for his clothing and his other necessary expences?—I have not a sufficient recollection to say what further might be necessary for supplying him with clothing; it could not be much, because cloth is very cheap in that country, and the quantity which a labourer wears is very little.

In reference to your lordship's personal acquaintance with the Gentoo natives of Hindostan, what is the general standard of their moral character, in comparison with the inhabitants of Christian countries in general?—My estimate of their moral character is very low, and certainly I should say greatly below the standard of Christians in this country.

Can your lordship specify any particular vices for which they are remarkable?—Falsehood is a very prominent part of their character. I have very often drawn their character, which has appeared in the public records of the government; but I feel some difficulty to do it, *viva voce*, at present; my opinion of the moral character of the Hindoos is very low indeed; I think it is a compound of servility, fraud, and duplicity.

Does your lordship think, that their religious faith has any direct influence upon that character?—That character may have originated, in a considerable degree, in the despotism of the ancient government, which would naturally produce servility and deception, as the only guard against extortion; I do not think that their religion is calculated to correct it.

Are there any particular crimes that are directly inculcated by their religion?—Certainly: what would be called crimes in this country; for instance, such as the burning of widows on the funeral pile of their husbands.

Is that a very common practice in India?—From my own experience, I should not think it very common, but from the information which I have obtained from other sources, and which I believe to be authentic, it is very common.

Is not the practice of infanticide very common in Hindostan?—Not, I believe, by any means general; it has been practised by some particular districts; it was practised in a particular district of the province of Benares, till it was prohibited, I believe, by an express law of the Bengal government; I think it was by a regulation of the Bengal government.

Did that interference of the government, in preventing infanticide, create any popular tumult or discontent in that country?—I said a regulation of government, but I am not certain that it was; in the first instance, I believe an application was made to the pundits or priests of the Hindoo religion, and they declared it to be contrary to their religion; and they gave an opinion, which was used by government, as a means of putting an end to it.

Is it not a practice, enjoined or encouraged by the religion of the Hindoos, to immolate themselves as a sacrifice to some of their deities or idols?—I believe it was practised at the festival of Jaggernaut, when they throw themselves under the wheels of the car in which the idol is carried, and suffer themselves to be immolated.

And that is a religious rite enjoined or encouraged by their religion?—How far it is sanctioned by their books, I cannot say; but it was considered as a religious rite and meritorious sacrifice, by the Hindoos themselves; there are many practices which, I believe, are not sanctioned by their books of religion.

Do their brahmins or priests sanction it, by their precepts or their presence?—I should suppose (though I never was present at an exhibition of the kind, and I only speak from what I have heard) their brahmins or their priests did certainly sanction and approve it.

Are there not other modes of suicide or murder, as by throwing themselves into the Ganges, that are in common practice among them?—I believe there are; but I do not speak from my own knowledge on the subject, but what I have collected from others.

Are not some of their religious festivals celebrated by rites of unnatural obscenity?—I never was witness to any such myself. I have known very indecent pictures in their temples, but I never was present at any indecent rites, nor can I speak to them with any certainty.

Is not the Brahminical law a rule of very great oppression upon the other casts in India?—The laws of the Hindoos are cer-

tainly peculiarly favourable to the brahmins who are their priests; they have exemptions and immunities, which the other casts have not; but I do not know that the Brahminical law operates as oppressive upon the other Hindoos, further than in the mode I have mentioned, if that can be called oppression.

Is the murder of an individual of another cast by a brahmin, or the murder of a brahmin by an individual of another cast punished in the same way, or what are the distinctions between them?—They are certainly not punished in the same way; for, I believe, by the Hindoo law, a brahmin cannot be put to death; he may suffer punishment that shall be worse than death, but he cannot be put to death. If a person kills a brahmin, he is guilty of a crime which is inexpiable; and is, moreover, liable to all the temporal punishments of the law.

Does your lordship speak there of malicious killing or murder, or killing a brahmin under any circumstances?—I certainly meant to consider it as murder; as killing with an intent to kill: how far the accidental killing of a brahmin might be expiable, I really do not know.

Is there not such a prejudice upon that subject, that a brahmin will sometimes threaten to put himself to death, in consequence of a quarrel with an individual of an inferior cast, so as to bring upon that individual the guilt of an inexpiable crime? —Instances certainly have occurred of that, in which brahmins have used that threat as a means of extortion, or to gain a particular point; that is, they have threatened to kill themselves, unless the point which they meant to gain, should be conceded to them.

In your lordship's judgment, is not the distinction of casts, enforced by the religion of the Hindoos, an insuperable obstacle to their advancement in civilization, and in moral character?—I do not know whether it is an insuperable impediment; but it certainly is a very great impediment to the improvement of the moral character.

What is the condition of the female sex among the Gentoos, as affected by their religion and prejudices?—They are so concealed, that we really know little or nothing of them; nor is it usual to talk with the Gentoos about their female sex: I believe that their state in general is merely that of slaves to their husbands.

In your lordship's judgment, would the introduction of Christianity among the Gentoos tend materially to the improvement of their civil condition?—I think it would tend to the improvement of their civil condition.

During your lordship's acquaintance with India, were any efforts made by the Company, for the propagation of Christianity in Hindostan?—None that I recollect.

Were the missionaries, of whom your lordship spoke, sent out and maintained by the Company, or by the charity of individuals?—When I was in India I did not know them; for the greatest part of the last year that I was in India, I was absent from Calcutta; they certainly were not sent out by the Company, but must have been sent out by individuals.

In your lordship's judgment, would the discreet and well-regulated efforts of missionaries, as they have generally conducted themselves hitherto in India, be dangerous to the peace or security of the British dominions in that country?—I think not.

Does it fall within your lordship's knowledge or information, that other Christian countries, possessing dominions in India, have been more or less active than Great Britain, in the attempt to propagate Christianity in that country?—From what I have read, I should suppose much more so.

Did not the Danish government, while it possessed settlements in India, use some efforts for that purpose?—I believe it did; but those efforts were materially assisted by the Society for promoting Christian Knowledge in this country.

Did your lordship ever hear of any inconveniencies or evils that followed the efforts of the Danish government to teach Christianity in India?—I never did.

Are there not at present in India, considerable numbers of Christians, natives of the country?—I believe a great many in the southern parts of the peninsula, particularly the Syrian Christians.

Are there not considerable bodies of Christians in the island of Ceylon, who have been converted under the dominion of the Dutch?—I believe there are.

Has your lordship ever heard of any political evils that attended the efforts of the Dutch in that line?—I have not, but, at the same time, I am totally unacquainted with the Dutch proceedings.

Are there not considerable bodies of Christians, who were converted to Christianity under the dominion of the Portu-

guese, while they had territories in India?—They certainly made great numbers of converts; and, I believe, there are many of their descendants now remaining to this day.

Was any opposition made by the native powers; or did any convulsions follow in those parts of India, in consequence of the introduction of Christianity by the Portuguese?—I know very little of the history of the introduction of Christianity by the Portuguese. When I say I did not hear of any convulsions, allowance must be made for my ignorance of the history.

Having given it as your lordship's opinion, that the gradual introduction of Christianity among the Hindoos would tend to improve their civil and moral condition, is your lordship of opinion, that the improvement of their civil and moral condition would tend to increase their consumption of the various manufactures of their own or of any other country?—I do not know that it would, in any considerable degree.

Would it have a tendency to that effect?—I do not think it would have a tendency.

Can your lordship give the Committee any information respecting the general character of the Danish mission in India?—There were two of the missionaries, Swartz and Gericke, who were men that possessed the esteem of the natives in the greatest degree; and with respect to the general character of the Danish mission, the impression upon my mind is highly favourable to it.

Does your lordship know, whether either of those missionaries was able, at any time, from the influence which he possessed with the natives, to render any material services to the British government?—Swartz I believe was, in a very considerable degree.

Does your lordship confine the description you have given of the character of the Hindoos, to the Hindoos of Calcutta, or generally?—To the Hindoos as generally known to me on that side of India, not merely Calcutta.

Is the Committee to understand, that the Hindoo women are kept in confinement, shut up?—I believe perfectly so; in a perfect state of seclusion.

Does your lordship conceive that the translation of the Scriptures into the native languages of India, would be attended with any dangerous consequences?—None at all in my opinion.

Your lordship was understood to say, that the government in the East Indies had never lent itself directly to the encouragement of Christianity among the Hindoos; from your own knowledge, or any information you have had the means of acquiring there, was the government in India ever known to give any discouragement, or to show any aversion to any fair, reasonable and discreet attempts, on the part of judicious persons, to introduce Christianity?—I do not recollect that I said the government had never lent themselves to the encouragement of the introduction of Christianity in India; because when I was in India there were no missionaries, nor any attempts made in India, that I know any thing of. The missionaries who arrived at that time employed themselves principally in learning the languages; which it was necessary for them to know, before they could talk to the natives, or attempt to convert them.

Have the government ever shown any discouragement to a fair and judicious attempt on the part of discreet persons to introduce Christianity?—When I was in India, the question never occurred, for them to show either encouragement or discouragement; I have never heard, since I left India, that they have shown any discouragement.

From your acquaintance with the native character, if they were to entertain the apprehension, that the government of India was secretly favourable to the propagation of Christianity among them, what effect, in your lordship's mind, would it produce upon them?—I do not think it would produce any material effect upon the natives of India, as long as they were convinced that no forcible attempts would be made to convert them.

Would not the appearance of bishops, or of an ecclesiastical hierarchy among them, tend to encourage that apprehension among the natives, that force would ultimately be used to establish Christianity amongst them?—It does not occur to me, that any such idea could possibly arise from the appearance of a bishop in that country.

Have there not been, for a considerable number of years, bishops of the Roman Catholic persuasion in different parts of India?—Not in the part of India in which I have resided; on the Malabar coast there have.

Does your lordship know of any discontents having been occasioned by a jealousy of those bishops or ecclesiastics?—I cer-

tainly do not; but, at the same time, I have to say that I have heard very little about them at all.

Was the missionary Swartz in India at the time when your lordship was there?—He was; but not in the same part of India.

Does your lordship know whether Mr. Swartz went into various parts of India, professing to teach the people about Christianity among whom he went?—In the part of India in which he resided, which was the southern part of the peninsula, he certainly did profess, as I have understood, to teach the people Christianity; and I believe since his death, the rajah of Tanjore has granted a spot of ground for building a church within his dominions, for the use of native Christians, out of respect to the memory of Swartz.

Does your lordship know that any dissatisfaction was expressed by any number of people in India amongst whom Mr. Swartz lived, or to whom he attempted to teach Christianity?—I never heard of any dissatisfaction of any kind, expressed at the conduct of Mr. Swartz.

Does not your lordship know that the missionary Swartz was highly esteemed by the rajah of Tanjore?—I have always heard so, and believe it.

Does not your lordship know that he was in the greatest credit with the natives of Tanjore?—I have always understood so.

Not merely credit as a respectable character; but does your lordship know whether, at a period when the English had lost their credit with the natives of that country, the natives did not enter into contracts with the missionary Swartz; and whether they did not take his word for the fulfilment of those contracts, when they would not take the word of any other person? — The circumstance, as it has been represented to me, has this difference, that they took the word of Swartz when they would not take the engagement of their own rajah. Before I withdraw, I beg leave to state, that many questions have been proposed to me, upon which, if they had been given me beforehand, I should have taken two or three days to consider of them, before I returned my answers. I have given the best answers which occurred to me at the instant; and I trust the nature of the questions will be my apology for any mistakes I may have made in my answers. [His lordship withdrew.]

The Chairman was directed to report progress, and ask leave to sit again.

HOUSE OF COMMONS.

Wednesday, March 31.

MINUTES OF EVIDENCE TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE OF COMMONS ON THE EAST INDIA COMPANY'S AFFAIRS (*Continued.*)] The House having again resolved itself into a Committee of the whole House on the Affairs of the East India Company, Mr. Lushington in the Chair,

WILLIAM COWPER, Esq. was called in, and examined as follows:

Mr. *Adam.*] How long were you in the service of the East India Company, in India?—Upwards of 30 years.

In what settlement?—Bengal.

How long have you retired from the Company's service?—Upwards of 12 years.

When you resided in Bengal, was your residence in the provinces only, or in Calcutta, and likewise in the provinces?—In Calcutta, and in the provinces.

In what provinces?—Bengal, Orissa, and Oude. I was president of the board of revenue for nearly five years. During 10 years I was in council.

Can you speak to the probable effect of an unrestrained intercourse of Europeans in those settlements?—I should apprehend that such an unrestrained intercourse would endanger the peace of the country. It certainly would create the greatest embarrassments to the local governments, and to the authorities under them.

Do you conceive that such an unrestrained intercourse would affect the happiness of the native Indians; and, if so, in what manner?—Undoubtedly it would subject them to every kind of persecution on the part of the new adventurers.

Do you mean, that oppression to the natives by the new adventurers, would be the likely effect of the unrestrained intercourse of Europeans?—It certainly would. I understand by the word 'unrestrained,' that they should be subject to no particular regulations, and only liable, in case of any actual offence against the law, to the punishment which the law might ordain; that they would, of course, have the liberty of going into the interior, and conducting themselves there at their own discretion, until such time as they might commit any act of oppression, when, of

course, they would be rendered subject to the authorities in Calcutta.

Are offences, by Europeans against the native Indians, triable any where but at the supreme court in Calcutta?—Such was the regulation when I quitted India, that Europeans committing offences in the interior, could be tried for those offences only at Calcutta.

Do you understand that the distinction with respect to jurisdiction over Europeans or natives of Great Britain and Ireland in India is, as to civil matters, open to the provincial courts, but as to criminal matters, only to the supreme court at Calcutta?—Certainly, in respect to criminal matters, such offences in Europeans were cognizable only by the supreme court at Calcutta; but I cannot charge my memory at this distance of time, whether civil suits were triable by the provincial courts.

Can you state the probable effect of Europeans being frequently subjected to punishment, upon the European authority in India?—The obvious consequence of such frequent punishments, would be to degrade the European character in the eyes of the natives of Bengal.

If there was a large resort of Europeans to the interior of India, do you conceive that, in case of their misconduct becoming general, it would be easy to remove them, or to regulate them?—I should think it extremely difficult to regulate them, if not impossible, in the circumstances stated by the question; it would be easier to remove them than to regulate them, most undoubtedly.

Have you had any opportunity of judging, from the situations you held in India, of the probable consumption of European commodities there by the natives, in case of a free trade?—I should imagine very trifling; the poverty of the infinitely greater part of the population, renders it impossible that they should indulge themselves by the purchase of such commodities; and, even if they had the means it, is my opinion that their habits, their prejudices, and their customs, would all operate to prevent their consuming any quantity of such commodities.

Had you an opportunity of knowing the general price of labour in the provinces in which you resided?—Extremely low in all, but it varied of course, depending on local circumstances; for instance, in the province of Chittagong, which is the eastern dependence of the Bengal empire, a labourer certainly, 25 years ago, thought himself extremely well paid, if his labour procured him to the amount of 3s. a month. At Calcutta, the same description of person would have earned 5s. 6d. perhaps.

Do their habits of living, provided their manners and customs would permit, admit of any saving sufficient to enable them to become purchasers of European commodities?—I should think, certainly not.

Is the Committee to understand from you, that the great bulk of Indian population never can become purchasers of European commodities?—I think so.

Have the natives, residing in towns where there were Europeans settlements, assimilated themselves at all to the manners of the Europeans?—With the exception of Calcutta, perhaps, and one or two other of the larger cities, certainly not; and even in those, more I should apprehend from a desire to please the European gentlemen than from any real predilection for their manners.

In Calcutta, and in those places to which you refer, has such an assimilation been general, or confined to a few persons?—To a very small proportion of the inhabitants.

Have those Indians been persons of rank and wealth?—They have.

In what particulars have those Indians conformed to the manners or fashions of Europeans?—Principally, I believe, in the furniture of their houses.

Have they conformed to European manners, in their dress, their table, or any other article of their living, besides the furniture of their houses?—Not to my knowledge, except in a very few instances, where the superior class may occasionally have made a practice of receiving and entertaining the gentlemen of the settlement.

Is it likely that if there was a general open trade to that part of the world, there would be, from those causes, any considerable demand for European manufactures?—I should think not.

Had you any opportunity of observing in what manner the wealthy natives, Indians, applied their superfluous wealth?—Certainly not in the purchase of European articles; of course they employed their superfluous wealth in the same manner as the higher ranks of people in other countries, on their pleasures, their state and ostentation; often vast sums are squandered by them in the obsequies of

their relations; on the death of a mother particularly, a man has been known to consume his whole patrimony, though in every other respect sordid, and a miser.

Have you the means of being able to state, what the probable political effects of an open trade and free intercourse, in point of commerce between Great Britain and India, would be?—The political effects arising from such an influx as the question supposes, would ultimately, I conceive, be dangerous to our dominion there.

In what manner?—I apprehend that the introduction of such multitudes of Europeans into the interior, would be productive of everlasting quarrels and dissentions between the new adventurers and the natives, which in the end might goad and exasperate the latter into resistance against their oppressors.

Would that intercourse of Europeans to the ports to which the trade would be carried, without their penetrating to the interior of the country, be attended with proportionable evil?—I should think very great embarrassments might arise to the local governments in India from such an intercourse with such ports, as it would tend to involve those local governments in disputes with the native powers. I suppose the question to relate to the intercourse between Bengal and the eastern peninsula.

The question relates to the intercourse between Great Britain and the coasts of India, the Malabar and Coromandel coasts?—Does the question intend our own possessions on those coasts, or refer to an influx of Europeans into that part of the coast which may yet belong to the native powers?

Both to our own possessions and to others?—I should apprehend that it would have the same tendency with respect to those in possession of native powers, that of embroiling the local governments in India with those powers; nothing can be more jealous than those powers are in their intercourse with us.

Is the conduct of Europeans, without any intention of offence towards the natives, likely, from the great difference of their manners and habits, to be offensive to the native Indians?—Certainly they might become offensive, from the ignorance of the European; in his intercourse with the natives, he might give offence ignorantly in a thousand ways.

(Examined by the Committee.)

Would the habits, prejudices, and customs of the individual Hindoos, be materially changed by their conversion to the Christian religion?—I really cannot give any opinion; I can form no judgment whatever, what might be the effect of such conversion.

What is your opinion with respect to the moral character of the Hindoos?—I think it is at least upon the level with the character of other nations I have been acquainted with.

What would be the political effect of the proposed church establishment for India?—I suppose the question refers to the introduction of a bishop and archdeacons: had that question been put to me two days ago, I should probably have answered it by saying, that provided the utmost care was observed in the selection of a proper person for that situation, and that it was expressly understood that the appointment was intended to support the dignity of our own church, and there was no intention to intefere in any form with the religion of the natives, I could see none, or very little objection to it; but some publications which I have seen in the public papers of to-day and yesterday, have altered my opinion upon that subject entirely; I am now very apprehensive that such an appointment might be liable to great misconstruction, as it is highly probable the natives of that country would couple such an appointment with the sentiments and resolutions expressed in the papers to which I allude. If the Committee will give me leave, I will state the particulars to which I refer: in the Morning Post of this day, I find the following advertisement or notification: "At a very numerous meeting of persons friendly to the religious instruction, moral improvement, and civilization of the inhabitants of our Indian empire, held at the city of London tavern, on Monday the 29th instant, the right hon. lord Gambier in the chair," I find the following Resolution: "That there are more than fifty millions of inhabitants subject to the British empire in India, under the influence of inhuman and degrading superstitions, which form an effectual bar to their progress in civilization." I take it for granted that in a very short space of time, this advertisement, with comments upon it, will find its way into every province under our authority; should this happen, it is easy to foresee

what must be the effect of it. I am decidedly of opinion that the first resolution I have now read to the Committee, would have the effect of exciting a general ferment among the Hindoos; and I am very apprehensive they would couple the sentiments expressed in this resolution, with the appointment of the new ecclesiastical establishment, and would infer that the former was intended in aid of the latter.

What is your opinion of the probable success of any attempt that may be made by this country for the conversion of the Hindoos, whether by missionaries, or any other means?—Supposing that such missionaries came into the country as they have hitherto done, without any authority or support from government, I am of opinion that they would make no converts, and do no mischief; but, on the other hand, if they were sent to India under the authority of the government here, professedly to assist in converting the natives to Christianity, I have no doubt that the utmost danger to our dominion there would be the consequence.

Would they be likely to make any progress to that conversion?—Very little, I should apprehend; and I believe that any such attempt, or the least idea of any attempt, under authority, to convert the natives, would be followed by our expulsion from Bengal, and from all our possessions in India.

What reason have you to suppose that the Advertisement, to which you have just referred, will be circulated throughout India?—Of course hundreds of these newspapers will go out with the first ship that sails; and as there are many natives who were very conversant in the English language, even before I left the country, I should apprehend now that numbers of them converse in that language, and read it as well as ourselves; of course nothing more alarming to the whole class of Hindoos could possibly occur, than the contents of the Advertisement to which I am speaking. Very many of the persons I have already described are brahmins.

Have you been in the habit of paying attention to the proceedings at all of the Christian missionaries during your residence there?—When I was in India, the missionaries were very few indeed; I recollect only one in the vicinity of Calcutta. I believe there were others at the Danish settlement; I can mention one by name, with whom I had no personal acquaintance, a Mr. Kiernander.

Do you know that any evil consequences have ever originated from any proceedings of missionaries in India?—Certainly not; nor would any ever arise, in my opinion, provided the influence of government was not employed in aid of them, or to countenance them in their objects of converting the natives.

Do you know that any converts have been made in India to the Christian religion?—I do not, I could not state a single instance.

You have not been in the habit of applying your attention at all to that subject?—I have not particularly applied my attention to it, but I think I must have heard if there had been any number of the natives so converted.

Do you not know that there are upwards of 200,000 Christians in India?—I do not know that fact; I have heard of it in publications that have come out since my return to England, and I have read of such conversions in former French publications, but I cannot vouch for their authenticity in any particular case.

Did you ever hear of that circumstance, when you were yourself in India?—When I said I had heard of it in publications since I returned from India, I allude to the publication of Dr. Buchanan; I have not read that work myself, but I understand it is so stated in that book, that there are that number, or a great number of Christians; I had before, during my residence in India, read a French publication, entitled, Lettres Edifiantes, and in them there is certainly a long account of converts made in the Tanjore country, and I believe on the island of Ceylon.

Do you understand that the advertisement to which you have referred, proposes or implies any thing in the nature of compulsion, either on the part of government, or on the part of individuals, in proposing the Christian religion to the natives of India?—I think certainly it would be so construed, not on the part of government, but on the part of the individuals, who formed those resolutions.

Do you then understand, that the persons in this country forming these resolutions, could have any compulsory power in India?—I do not say that they would; but I say, the construction which the natives would put upon this advertisement, backed as it would be by the great alteration about to take place in the ecclesiastical establishment, might be construed by the natives into a design on the part of go-

vernment to interfere relatively to their religion, and to give their support to the suggestions of this paper, wherein it is stated, that such and such measures would be highly expedient. I wish to read the paper.—[It was read, as follows:]

"At a very numerous meeting of persons friendly to the religious instruction, moral improvement, and civilization of the inhabitants of our Indian empire, held at the city of London tavern on Monday the 29th instant,—Lord Gambier in the chair; the following Resolutions were unanimously adopted.

1st. "That there are more than 50 millions of inhabitants subject to the British empire in India, under the influence of inhuman and degrading superstitions, which form an effectual bar to their progress in civilization.

"2d, That it appears to this meeting, that the only remedy which can be successfully applied to this enormous evil, is to diffuse through this portion of our fellow subjects the blessings of Christian knowledge, and of moral, social and domestic improvement.

"3d, That this meeting does therefore most cordially concur in the Resolutions expressed by the House of Commons in 1793,—('That it is the peculiar and 'bounden duty of the legislature to promote, by all just and prudent means, the 'interest and happiness of the inhabitants 'of the British dominions in India; and 'that for these ends, such measures ought 'to be adopted as may gradually tend to 'their advancement in useful knowledge, 'and to their religious and moral improvement.')

"4th, That this meeting, coinciding as it does in these just and humane sentiments, persuaded as well of the political wisdom, as of the religious duty of giving them effect, and lamenting that so little should have been hitherto done to that end, feels it to be a sacred obligation to exert itself to the utmost of its power, in order to procure such provisions in the new charter to be granted to the E. I. Company, as may afford an opening for the gradual communication, by safe and prudent means, of our superior religious light and social improvements, and more especially such as shall afford sufficient opportunities to those benevolent persons who shall be desirous of going to India for these purposes; and also such provisions as shall prevent the obstruction of their endeavours for promoting their object in that country, so long as they shall conduct themselves in a peaceable and orderly manner.

"5th, That although this meeting has reason to hope that his Majesty's government is favourably disposed to the principles asserted in the preceding Resolutions, yet, as the terms of the renewal of the E. I. Company's charter are now the subject of discussion in parliament, and all the conflicting interests and opinions involved in those discussions are supported by petitions from all parts of the kingdom, it is the sense of this meeting, that petitions to both Houses of parliament, from persons anxious to obtain, and willing to promote the religious, moral and civil improvement of the inhabitants of India, will be seasonable and proper.

"6th, That a petition to parliament, founded on the Resolutions which have been passed, be adopted by this meeting, and that it be left for signature at the bar of this house; and also at the bars of the Crown and Anchor, the Free Masons' tavern, and the St. Alban's tavern.

"7th, That the following gentlemen be a committee, with power to add to their number, for carrying into execution the objects of this meeting; and that the committee be open to all members of both Houses of Parliament who are friendly to those objects, and to all clergymen, and other ministers: Wm. Alers, Tho. Allan, Wm. Allen, Tho. G. Babington, Joseph Bunnell, Wm. Burls, David Cook, Tho. F. Forster, J. W. Freshfield, Jo. Gutteridge, L. Hoslope, W. H. Hoare, Z. Macauley, Robert Marsden, Samuel Mills, John Miller, J. G. Oldham, Thomas Pellatt, Joseph Reyner, William Samles, H. P. Sperling, Richard Staniforth, Rob. Steven, John Thornton, E. N. Thornton, W. B. Trevylion, John Weyland, jun., Samuel Woods, esquires.

"8th, That lord Gambier be requested to present the said petition to the House of Lords; and sir Thomas Baring, bart. M. P. that to the House of Commons. 9th, That the committee be authorized to advertise, at their discretion, the proceedings of this meeting; and to adopt such other means of giving effect to its objects, as to them shall seem expedient. 10th, That a subscription be now entered into, in order to defray the expence of carrying into effect the objects of this meeting. 11th, That the cordial thanks of this meeting be given to lord Gambier, for his able conduct in the chair."

"The following is a copy of the Petition, which the meeting resolved to adopt:—

"That your petitioners are deeply impressed with the moral degradation of the immense population of the British dominions in India, and lament that so little has hitherto been done to remove it, although the honourable the House of Commons was pleased in 1793 to resolve,—'That it is the peculiar and bounden 'duty of the British legislature to promote, by all just and prudent means, the 'interest and happiness of the inhabitants 'of the British dominions in India; and 'that, for these ends, such measures ought 'to be adopted, as may gradually tend to 'their advancement in useful knowledge, 'and to their religious and moral improvement.'

"That your petitioners most cordially concur in the just and humane sentiments contained in the above Resolutions.

"Your petitioners, therefore, implore your lordships, that such provisions may be inserted in the new charter to be granted to the East-India Company, as shall afford sufficient facilities to those benevolent persons, who shall be desirous of going to India for the purpose of communicating to its population the blessings of useful knowledge, and moral and religious improvement; and also such provisions as shall prevent the obstruction of their endeavours for promoting their object in that country, so long as they shall conduct themselves in a peaceable and orderly manner.

"And your petitioners shall, &c.

"Subscriptions are received by the members of the Committee; by Messrs. Down and Co. Bartholomew-lane; Messrs. Hoare, Fleet-street; Messrs. Ransom and Co. Pall Mall; Mr. Hatchard, Piccadilly; and Messrs. Z. Macauley and Babington, 26, Birchin-lane."

Mr. *Cowper*.—This Paper, I apprehend, may be open to great misconstruction, and will have the effect I have already stated, of alarming the natives into an idea that an intention is entertained in this country to interfere with their religious tenets; in short, to make proselytes and converts; and that, supposing it to come from any authority, will have, in my opinion, the most dangerous consequences.

Does not this paper, upon the face of it, propose to refer the opinions of the persons there met, to parliament, for their decision; proposing only to them, what in their wisdom shall seem fit upon the subject?—It certainly does.

Can a paper of this import, going only to the proposition of the subject to parliament, supposing it were to circulate in India, be supposed to be the act of any set of beings on the face of the earth, but only a proposition?—Uudoubtedly such a proposition, would, in my opinion, tend to create the greatest possible alarm among the native Hindoos.

Before the opinion of parliament could be passed upon it?—Certainly; ignorant as they are, they might suppose it to come from authority, or at all events that something was in agitation which went to interfere with their religion.

Does not this very paper quote a Resolution of this House in 1793, purporting the very same object which this meeting proposed; and do you know of any agitation created in India by that Resolution?—It remained a dead letter, at least as long as I was in India. It was, I apprehend, absolutely unknown that any such clause or resolution ever had been taken. I believe events have taken place in the interval, between the passing of the first Resolution, the Resolution of 1793, calculated to alarm the Hindoo population of India, and to create in their minds suspicions that there is an intention to interfere with respect to their religious rites. I principally allude to the events that took place at the mutiny of the troops at Vellore.

How do you understand that that has any connection with the propagation of Christianity? I do not mean to put any such construction upon those events; but I understand (I may have been misinformed) that that mutiny originated in some offence given to the Hindoo troops with respect to the marks of their casts.

[The further examination of Mr. Cowper was postponed.]

The right hon. lord TEIGNMOUTH attending, was called in, at his own request, and a chair placed for him within the bar.

Lord *Teignmouth*.—I would beg leave, with the permission of the House, to explain an inaccuracy in my testimony yesterday. I will first read the question that was proposed to me, and the answer which I gave; and then the answer which I would propose to substitute for it. The question

proposed to me was, "Has not your lordship heard that one of the chief causes of the mutiny at Vellore, in which a British regiment was massacred, was an opinion of that kind, that is of an intention to force the Christian religion upon the natives?" The answer which I gave was, "I certainly did see it asserted in print in this country; but I took some pains to clear up that point, and cleared it up completely to my own satisfaction, that the assertion was totally without foundation. I would beg leave to mention, that my opinion upon the subject is in print, in a pamphlet that does not bear my name, but was very well known to be written by myself, entitled, Considerations on the Practicability, Policy, and Obligation of communicating the Knowledge of Christianity to the Natives of India. I refer to that pamphlet, as containing an answer to the question put to me." The explanation I would wish to give upon the point is this: "That I did hear that an intention, imputed to the English government, of forcing Christianity upon the native troops, was the cause of the mutiny at Vellore; that it had been so explained by some designing persons to the troops; and that, being at the same time coupled with a public order, from which it derived weight and plausibility, it had had an effect in producing that mutiny. I can explain to the Committee, if they will allow me, the cause of the mistake; my recollection was carried back to that pamphlet, to which I referred, in which I had endeavoured to refute an opinion, that the great increase of missionaries on the coast of Coromandel, with the publication of the Scriptures and other tracts, have been a concurrent cause in producing the mutiny at Vellore; but my recollection not being clear on the subject, I transferred the refutation to the other part of the argument, instead of confining it to that which I have now stated."

Does your lordship think it would be advisable to allow persons to take upon them the character of preachers and teachers of Christianity in India, without some previous examination as to their fitness for the undertaking, in respect to religious knowledge and discretion?—I think they should not be allowed, without testimonies to their fitness for the business.

Does your lordship think that any qualification could justify sending preachers to preach the Christian religion in that country; that it could be done with safety to the government of the country?—Certainly I do; I think upon that subject I may appeal to experience; there have been missionaries now in Bengal, from this country, 17 years; they have circulated among the natives various copies of the Scriptures in the dialects of India, with many other pamphlets; and I have not heard that any thing that they have done has been the cause of alarm among the natives in India. [His lordship withdrew.]

The chairman was directed to report progress, and ask leave to sit again.

The Princess of Wales.] Mr. *Whitbread* assured the House that it was with great pain and reluctance, that he now came forward to call the attention of the House to a circumstance connected with a subject which he had hoped would never have been necessary again to discuss or allude to in that House. Nevertheless, some circumstances had occurred since he last obtruded himself upon their attention, so novel, and so important in their nature, that he felt himself obliged by his public duty to submit them to their consideration. On Saturday last, a letter, purporting to be from the earl of Moira, to a member of the Grand Lodge of Freemasons, appeared in many of the public papers. There was every reason to believe that the letter did really come from the noble lord, and he understood that his lordship avowed it. Upon a most extraordinary paragraph which appeared in that letter he now wished to offer a few remarks. The public had lately been told, or at least induced by general rumour and by what had passed in that House on a former occasion to believe, that all farther investigation had been stopped; and they had heard with great satisfaction that the Princess Charlotte had visited her royal mother. They had hoped that this unhappy business was on the point of being favourably terminated in a manner satisfactory to all parties. The letter, however, which had been published under the sanction of the high name of lord Moira, contained matter of which he thought an explanation absolutely necessary; and as the noble lord was upon the point of leaving this country to execute the high duties with which he was entrusted in India, it appeared to him absolutely necessary, that before his departure he should explain the meaning of certain paragraphs (of which he alone could explain the meaning), but which, according to the obvious construction of them, were consi-

dered by the public as reflecting upon her royal highness the Princess of Wales. Nothing indeed, under all the circumstances of the case, could be more indispensably necessary than to bring the subject thus under parliamentary notice, for the purpose of giving to the noble earl an opportunity either of substantiating the charge which that paragraph conveyed, or of publicly stating what his meaning was by the language therein contained. The urgency of the case had induced him to forego the ordinary practice of giving regular notice, a circumstance which he was sure the House would do him the justice to believe arose only from necessity. —He should now point out the paragraphs which, as he thought, his lordship should be called upon to explain before he left England. In that letter there was the following sentence:—

"When the Prince did me the honour of relating to me this representation of lord Eardley's, expressing great uneasiness that the asserted notoriety of the interviews at Belvidere, and the comments of the neighbours should force him to take any public steps, I suggested the possibility that there might be misapprehension of the circumstances; and I entreated that, before any other procedure should be determined upon, I might send for the steward (Kenny) and the porter (Jonathan Partridge) to examine them. This was permitted. I sent for the servants, and questioned them. My report to the Prince was, that the matter had occasioned very little observation in the house, none at all in the neighbourhood, and that it was entirely unnecessary for his Royal Highness to notice it in any shape. The servants had been desired by me never to talk upon the subject; lord Eardley was informed, that his conception of what had been stated by the servants was found to be inaccurate; no mention was ever made to any one, not even to the lords who conducted the enquiry, three years afterwards, of the particulars related by the servants; and the circumstance never would have been known at all, had not the legal advisers of the Princess, for the sake of putting a false colour on that investigation, indiscreetly brought it forward. The death of Kenny, in the interval, tempted them to risk this procedure. Jonathan Partridge having been known at the time when he was questioned to be devoted to the Princess, from his own declaration to the steward, no one can doubt but that her Royal Highness would the next day be informed by him of his having been examined. The measure was most offensive, if not justified by some uncommon peculiarity of circumstance. Yet absolute silence is preserved upon it for so long a period by her Royal Highness's advisers; a forbearance only to be solved by their being too cautious to touch upon the point while Kenny was alive."

When first he read the paragraph, he could not avoid putting the same construction upon it, which he found, by the public papers, had been put upon it out of doors. He did conceive it to mean, that there was something in the evidence of Kenny which made the advisers of the Princess afraid to advert to it during his lifetime; and with this impression on his mind, he had intended to have brought the matter before the House last Monday, in order that an impression should not go abroad injurious to the Princess, after the earl of Moira should have left the country, and explanation was impossible. Upon reading the paragraph, however, over and over again, to try whether he could find out another meaning, it did occur to him that perhaps his lordship only meant, that Kenny, if alive, could have contradicted any person who said that his lordship examined the witnesses in any manner that was improper or unbecoming his dignity. Thinking that this might possibly be the meaning of the noble lord, he did not conceive it necessary to bring the business before the House; but finding by some observations in one of the public papers of this day, that the subject was viewed in another light out of doors, and that the public understood that part of the noble lord's letter, according to its plain and obvious construction, he thought it now of the greatest importance, that lord Moira should have an opportunity of explaining his meaning, before he left the country. As any assertion which came from a man so high in rank, and so high in character as lord Moira, must carry with it great weight, he thought that an impression ought not to be suffered to remain on the public mind, that either the Princess, or her advisers, were ever afraid that her honour would have been in danger from any evidence which Kenny might have given. There was another paragaph, which lord Moira, and none but he, could explain.

When it was stated in the letter, that Partridge, lord Eardley's porter, was known to be entirely devoted to the Prin-

cess, he thought it ought to be explained, what was meant by the devotion of one of lord Eardley's menial servants to the Princess of Wales? How or from what reason it could be supposed that a person in that station of life would communicate to the Princess of Wales any examination which he might have undergone, was a matter capable of explanation only by the noble earl, and if not explained by him, how it was possible for any other person to explain it, he knew not. Finding that this part of the noble earl's letter, as well as that to which he had first directed the attention of the House, had been comment- upon in a public print, and a surprise expressed equal to that which he himself felt, he could not be content to suffer the matter to pass without making some observations, or without pointing out the expediency, as well as the absolute necessity, of requiring a full and satisfactory explanation from the noble earl before he quitted Great Britain. When the exalted rank of the earl of Moira was considered, and when it was known that every thing which came from him would be received by the country with that degree of weight to which his lordship's opinions and remarks were entitled, he apprehended that a feeling of justice as well towards the earl of Moira himself, as towards the Princess of Wales, called for an explicit declaration of the real meaning of the words in the noble lord's letter.—Knowing the important subjects which were coming before the House that evening, he had ventured, at that early period, to direct their views to this topic, which he did the more willingly, as he was sure the House would feel pleasure in putting the noble lord in a situation most congenial to his own heart, that of explaining unequivocally and clearly, a matter which was at present involved in doubt, and which might lead to conclusions and inferences which the noble earl would himself be the first to lament. He had hoped from time to time, that this most heart-rending subject would have been set at rest. New matter, however, seemed daily to be brought before the public, and he now almost began to despair that the subject would ever be brought to a satisfactory conclusion, unless some decided act of recognition was either advised by his Majesty's ministers to be adopted, or that that House would place their seal upon the matter, and close it for ever. How this was to be done, could best be pointed out at the proper season. He most sincerely wished, however, that the question might be concluded by any other means than through the medium of that House, and anxiously hoped, that without considerable delay, his royal highness the Prince Regent's ministers would advise him to give to her Royal Highness an establishment out of his civil list, adequate to the elevated situation which she held in this country. Some mode or other, he was satisfied, must ere long be had recourse to, for the purpose of dissipating all conflicting opinions, and he trusted it would be such as to place her Royal Highness in a sphere adequate to her merits. The hon. gentleman concluded by observing, that, for the present, he should content himself by moving—"That a message be sent to the Lords, requesting their lordships to grant permission to the earl of Moira to attend at the bar of this House, for the purpose of being examined as to his knowledge of certain circumstances connected with the conduct of her royal highness the Princess of Wales."

The *Speaker* said, that before he put the question, he felt it his duty to state to the House, that a grave consideration arose in his mind as to the parliamentary usage with respect to such a motion. The House was not in the habit of desiring the attendance of any noble lord, unless upon some investigation or matter pending in that House. If it was not stated to their lordships that there was some matter pending in the House, on which the evidence of a noble lord was required, he thought that their lordships would undoubtedly reject the application. If such an enquiry or investigation were resolved upon, then it would be regular to make such an application; but his memory could not furnish him with a single precedent in the history of parliament, of such an application having been made, unless on a matter pending in the House.

Lord *Castlereagh* said, that he thought the House must feel, that, according to the custom of parliament, the present motion could not be received, and that it would be very improper to take the step proposed by the hon. gentleman. He should, however, not confine himself merely to the forms of the House, but would say upon the substance of it, that he was surprised that the hon. gentleman should (after six times that the subject had been brought forward in different shapes, and the feeling of the House well known upon it) think it

necessary again to bring the subject before them. He could conceive no other purpose which this could answer, but to agitate the public mind, and wound the delicacy of the House. This was merely a collateral point of a subject, into which the hon. gentleman well knew that the House did not wish to enter. He was also surprized that at the close of his speech, instead of calling upon them to pronounce upon the question of guilt or innocence, he should merely have suggested an increase of the establishment of her Royal Highness. If no question of form had rendered the motion inadmissible, he should have opposed it in its substance, as he was convinced that no possible good could result from the interference of parliament; and he thought that, on the contrary, it might in every quarter prove injurious. In his opinion the hon. gentleman by his motion had departed from those principles upon which parliament was bound to act, and he was satisfied that the whole of his conduct was likely to do no public good, but, on the contrary, to do great public mischief. He concluded by moving the order of the day.

The *Speaker* having asked if the hon. gentleman wished to have the question put? The hon. member answered in the affirmative.

Mr. *Ponsonby* said, that it would appear presumptuous in him to offer any confirmation of what had fallen from the high authority of the Chair, as to the usage of parliament. Such had been its practice ever since he was acquainted with it, and he believed that not a single instance could be produced to the contrary. He believed the reason of the usage was, that the House of Lords must first determine as to the fitness of allowing a noble lord to attend, and then the noble lord himself was to determine whether he thought it fit to attend. He conceived that his hon. friend (Mr. Whitbread) had rather brought forward the motion for the purpose of raising a question, than with any idea that the House could adopt it. He should, however, beg leave to suggest what he thought would be the most natural way of obtaining the explanation which his hon. friend desired. If any persons chose to address the public in the newspapers, and any thing in such address required explanation, he thought it might be given through the same channel, without bringing it before the consideration of parliament.

Sir *F. Burdett* thought that the most desirable manner in which this subject could be terminated, and the way which must be the most satisfactory to the illustrious person who had suffered so much from foul calumny and slander, would be that it should be ended in consequence of some movement proceeding from the mind of his Royal Highness himself. At the same time, he must deny that the hon. gentleman (Mr. Whitbread) had brought the subject forward in any way that could wound the delicacy of the House. He did not believe that the House had by any means declined interfering in this subject, from an idea that such interference would be contrary to their duty. He rather conceived, that the general understanding of the House was, that after all that had passed there,—and all that had been published,—and upon which the public opinion was completely formed, some course would be taken, by which her Royal Highness would be completely and publicly cleared from all those charges which malice and calumny had brought against her. It was, therefore, thought better to leave it to the advisers of the crown, to give such advice as would best put to rest this painful subject. He thought that her Royal Highness ought to be avowed as completely clear of those charges, which could not be suffered to remain on her without also throwing an aspersion on the whole of the royal family, and a slur also on that illustrious princess to whom the nation looked as the probable successor to the crown. However he wished that the business might have another termination, yet he should not think that he was acting against any general declared sentiments of the House,—nor wounding their delicacy,—nor flying in the face of any understood feelings,—if he were to follow the example of the hon. gentleman (Mr. Whitbread), and propose some specific motion to the House upon the subject, unless it should be terminated in another way. He believed that no harm at all had been produced by the manner in which this subject had been hitherto agitated in the House: he believed, on the contrary, that great good had arisen from it; inasmuch as the illustrious person who was the subject of those discussions, now stood, in the eyes of the public, completely absolved from all the charges which her enemies had brought against her. As to the forms of parliament, he certainly bowed to the authority of the Speaker upon that point, but he did think the letter of lord Moira left room

for surmises injurious to the character of the Princess, and therefore he thought that in some shape or another those passages required explanation.

Mr. *M. A. Taylor* said, that the House had already come to one common consent to put an end to the species of inquiry and discussion which had been so frequently introduced by the hon. gent. below him (Mr. Whitbread) and he was confident, too, that the sentiments of the country at large were in unison with that feeling. He was sure, that the revival of this question could be attended with no good effect to the illustrious person whose conduct was called in question; and if the object was peace and tranquillity, he imagined the only wise and prudent step to adopt would be, to preserve silence on a subject which had given pain to every member in the House. He was against reviving any question connected with this subject, thinking, that it had been already sufficiently agitated, so far at least as to satisfy the public. His hon. friend's intentions, no doubt, were very good; but, without a message from the Regent, he was unwilling to vote for the revival of the question. There was no argument which could bring his mind to agree to the motion which had been made; he should, therefore, vote in favour of the order of the day.

Mr. *Western* believed, that the object of the motion was not to agitate the public mind, but to quiet that agitation, which must necessarily be produced by laying from time to time fresh documents before the public. A letter from so exalted a personage as lord Moira could not fail to make an impression on the public mind; and if, in the way the public understood that letter, an impression unfavourable to the Princess must be excited, he thought it necessary that there should be an explanation. If he understood the nature of his hon. friend's motion, it had his most hearty concurrence. He believed its object to be to quiet the public mind, under the frequent attempts which were made to disturb and harass it. The letter of the earl of Moira, had, beyond the possibility of a question, cast a serious reflection on the illustrious female, whose conduct had previously been cleared of the slightest blot in the public estimation, and as by this means a new charge, as it were, had been made, a new vindication became necessary. He, therefore, approved of the motion in its object, and in its substance, although possibly, by the forms of the House it could not be received.

Mr. *Canning* said, that having been in the House but for a few minutes, he believed at first that this was only one of those irregular conversations which had too frequently of late been introduced, and was not at the beginning aware that there was a motion regularly submitted to the House. If that had been the case, he should not have said a single word upon the subject, but now feeling it to be a question of some importance, he was anxious to state the grounds on which he should vote for passing to the order of the day. The hon. baronet (sir Francis Burdett) had referred to that understanding, by which the House had shewn its wish that there should be no farther discussions upon this unhappy subject. He believed, that the last discussion of the subject ended upon the understanding that no possible good could result from the discussion. He believed, that the House and every member of it, had felt the most anxious wish that they should not be called upon for any determination on the subject, unless it should come to such an extremity that parliament was obliged to adopt some step. As he did not think that such an extremity had now arrived, he could not coincide in the expediency of these renewed discussions. He did not imagine that the present proceeding was at all necessary; and although he admitted it was possible that a case might arise, in which the House and the country would find it necessary to come to some substantive conclusion upon this subject, yet he trusted his Majesty's ministers would avoid being driven to such extremity. He admitted that where the possibility existed of having occasion to refer to such a measure, it was proper to be prepared for the worst; but if he was called upon to state, whether such a necessity existed now, he would have no hesitation in answering in the negative. There was another impression, as he believed, upon the mind of the House upon this subject. They thought that the abstaining from discussions upon it, was the most likely way to bring about that happy termination of it to which every one anxiously looked. While they abstained from discussion, they conceived that there was one chance left for that species of termination which all good men, and all good subjects, wished to see.—He believed that those men betrayed a very imperfect knowledge of human nature and human feelings, who could suppose that the continuance or revival of such discussions was

the most likely means of procuring that termination which was so much desired. Since the last discussion sufficient time had not been given for the natural working of those feelings, and those dispositions, which would alone tend to produce that happy result. He believed that every discussion must naturally tend to produce an irritation, which would diminish the chance or retard the period of such a termination. He conceived that if those discussions were revived, the whole period between the first discussion and the last, might be considered as so much time lost in the accomplishment of the object in question. It was upon those feelings that he, and as he believed many other members, deprecated those discussions.

Mr. *Whitbread* thought, that it was very evident, that the right hon. gentleman had not been in the House when he brought forward his motion. He therefore begged leave to re-state, for his information,—and those who had come in after he had sat down,—that he had commenced by expressing the pain and reluctance which he sincerely felt, at reviving any discussion on this subject; and that he was only induced to do so, from conceiving, that it was a case of extreme necessity; as, if lord Moira should leave the kingdom without explaining some passages in a letter which had been laid before the public, an impression unfavourable to the Princess of Wales might be raised from the high name and character of the noble lord, and that there would no longer remain a possibility of removing it by the explanation which it might now receive. Finding that those paragraphs were understood out of doors in the same sense in which he at first understood them, and which was certainly their obvious construction, he thought it but fair to the noble earl to give him an opportunity, before he left the country, of giving his own explanation to that which was so obscurely worded. He wished the noble lord to explain what he meant by the advisers of the Princess being afraid to advert to the evidence of Kenny during his life-time? He also wished him to explain the meaning of the assertion "of a menial servant of lord Eardley's being at the devotion of the Princess of Wales." He felt no animosity to the noble lord (lord Castlereagh)—who, although his political opponent, he must confess, was placed in a situation of great difficulty on this question,—for having imputed to him what he felt himself entirely innocent of, "a wish to agitate the public mind, and wound the delicacy of that House." It was evident, by his conduct, that he never had any such motive; for if he had, he might have pressed the noble lord much closer upon those parts of the examinations about which he refused to give any answer. When it was understood that those examinations which were so odious in the eyes of the public had ceased, and which, if proved, would not bear the light, he wished to say nothing more upon the subject. But when a letter was submitted to the public, from a man of such high rank and exalted character as lord Moira, likely to produce an unfavourable impression, then he did feel it his duty to call for explanation while it could be had. An hon. gentleman (Mr. Taylor) had said, that it would be better for the Princess of Wales that discussions of this kind should go no farther. He was sure that he could only mean that the less such questions were agitated in the House, so much the better for all parties. In this, as a general proposition, he would concur; but if it at all applied particularly to the Princess of Wales, he was so convinced of her perfect innocence, that he should say again, as he said before in that House, that in the name of the Princess of Wales he would challenge, court, and defy all inquiry. He was not himself, in any part of these proceedings, influenced by party motives. Nor did he wish for the appearance of such a letter as that of the noble earl, after they had been supposed to be given up. At present it was unnecessary for him to do that, which he had so often before done on this subject, namely, to court enquiry. There was no step, either on the part of this House, or on that of the Prince Regent, for the purpose of putting a seal on this unhappy business, which could be less grateful to the Princess of Wales, than that of mooting any question about an establishment for her, in the House of Commons. The letter of lord Moira could not be intended, for it was not calculated, to please her Royal Highness. He allowed that, as his right hon. friend (Mr. Ponsonby) had stated, he brought forward the motion cipally with the view of raising the question, and giving the noble lord an opportunity of explaining. There was no measure which could be advised to his Royal Highness, for putting a final end to this business, which would not give to the public, and to him, as one of the public,

great satisfaction. He certainly would not wish to start in that House the question of what increase ought to be made to the establishment of her Royal Highness: that was a question that would be settled much better elsewhere. He did believe that nothing could be more disagreeable to her Royal Highness than that such a question should be agitated in that House. When, however, she was acquitted by the voice of all mankind—when there was no person who could stand up and say he believed her guilty—he thought that the sooner the matter was brought to its proper termination the better. He hoped that the House would perceive, that in the present case he was surrounded with difficulties. A prosecution was found to be impossible: he was not allowed to call to the bar those persons who had published those depositions, which he believed to be false and calumnious; and he had no course to take, but to endeavour that no false impression should exist on the public mind. He wished the question to be put, in order that it should appear upon the records of parliament, that there were members who demanded explanation of those parts of lord Moira's letter. He should, however, bow to the authority of the Chair, as to the point of form, and did not mean to press a division. He must, however, say, that it did not necessarily follow that every motion must be wrong, for which a precedent could not be found. No human being was more anxious than he was, that discussion should go no further in that House upon this subject. He would say, that he never had, nor did he now, nor ever would, agitate the question, unless in a case that appeared to him of extreme necessity, as the present case did appear to him to be.

The question for the order of the day being read, was carried.

EAST INDIA COMPANY.] The House having resolved itself into a Committee of Supply,

The *Chancellor of the Exchequer* said, he rose only for the purpose of moving a vote, for the payment of the East India Company, for advances made by them to the public, as stated in the account (justified by the accountants of the Treasury) which was then lying on the table. He was sure the Committee would feel it peculiarly desirous, at the present moment, from the situation of the East India Company, when their charter had nearly expired, and their sovereignty was about to be renewed, under a fresh charter, and on new conditions, that the account between them and the public should be brought to a close, as nearly as possible, to prevent any complaint from either party. The Company had been in advance to a very large extent—an extent, indeed, in one sense, alarming, as it appeared to be for a large military force, which had been necessarily employed in India, in consequence of peculiar circumstances; but at the same time it must give the country a very elevated idea of the magnitude and importance of that Company, which could thus lend its troops to the public service, and advance its money to the extent of millions, which the country was then called on to pay. All the items of expenditure were not heretofore accurately known; but that would be obviated in future. As no hostile flag now waved on the shores of India; and the Mauritius, Java, and the whole eastern Archipelago were subject to Great Britain, it was no longer necessary to send expensive expeditions there; and, therefore, the forces wanted in future, would be principally for naval purposes. These, in the first instance, might be disbursed by the Company, but they were very easily estimated, and might always previously be laid before parliament. He was happy to state to the Committee, that Java was not likely to continue a burden to this country; its produce would, in future, equal its expenditure. Of the Mauritius he could not make a similar report; but, as they were of considerable extent, he was in hopes that they might be so far improved, as to incur but a very small expence of maintenance over the revenue they produced. The building of ships in India formed also a most important item. But, deducting the expences consequent on the possession of Java, and the isles of France, the remainder was not of a very large amount. In the present year, it was intended to follow the example of former years, and to vote a sum upon account. The estimated balance in favour of the Company was 2,294,000*l.*; and he intended to move, that the sum of 2,000,000*l.* be paid to them on account, which would leave a balance to meet any inaccuracy which might be observable hereafter on an investigation of particular items; or on a future examination of estimated accounts. The right hon. gentleman concluded by moving, "That a sum, not exceeding two millions, be granted to his Majesty, upon

account, to enable his Majesty to pay the same to the united company of merchants of England trading to the East Indies, towards defraying expences incurred by them in the public service; and that the said sum be issued and paid without any fee or other deduction whatsoever."

Mr. *Baring* enquired what were the disputed points of the Company's demand?

The *Chancellor of the Exchequer* stated, that the account was 2,294,000*l.* but a part still remained unsettled. There were demands against the Company in the Pay-office, which they did not allow. The difference, however, was not very material.

Mr. *R. Thornton* stated, that the Company had other demands to a very large amount.

Mr. *Fremantle* said, the right hon. gentleman had stated, that very little difference existed between the estimated sum and the demands of the Company; but it now appeared, that the Company still had great demands on the government. He should like to know what those other demands were?

The *Chancellor of the Exchequer* said, he hoped, in future, they would not be called on to vote large sums of money on similar occasions. The greater part of the present charge was for the expences incurred in taking Java and the French islands, which exertions were made in consequence of orders from the government at home, with a private intimation that they would defray the expence. In justice to the Company, it was necessary to state, that they had not charged the ordinary expences for their troops; they had only demanded the extraordinary charge, which was incurred by sending them abroad. The extra demand arose chiefly from large sums, which had been settled and carried to account, under the authority of Committees of that House, and to which the Company considered they had just claim.

The motion was agreed to.

COMMITTEE OF WAYS AND MEANS—THE BUDGET.] The House then resolved itself into a Committee of Ways and Means.

The *Chancellor of the Exchequer* said, that the first observations with which he should trouble the Committee related to a transaction that had taken place that morning. A proposition had been made by government to a considerable body of bankers and merchants, who usually attended on such business, to fund a certain amount of exchequer bills, provided the measure should receive the sanction of parliament. It was proposed to these gentlemen, that under the authority of parliament twelve millions of outstanding exchequer bills should be immediately funded in the same stock as that in which they had lately been uniformly funded; namely, the five per cent. navy annuities: for every 100*l.* so funded the subscribers to receive 115*l.* 10*s.* of those annuities. The calculation was taken on the state of the funds for a short time previous, and it was satisfactory to know, that the fluctuation had been so small as to afford a greater opportunity for accuracy than was generally permitted. There appeared every reason to believe, that notwithstanding the premium which the subscribers would enjoy was smaller than on most other occasions of a similar nature, yet that it would be generally satisfactory and acceptable. The rate of interest the public would have to pay on this 115*l.* 10*s* would be 5*l.* 15*s.* 6*d.* which added to the sinking fund, 1*l.* 3*s.* 1*d* would make a total charge of 6*l.* 18*s.* 7*d.* for every 100*l.* of exchequer bills funded. On comparing this charge with the charge which would have been incurred had the funding been agreed upon to take place in the three per cents. at the present prices of the two stocks, it would appear that the total charge would be nearly equal. If therefore it was an advantage (and it certainly was so) to create five per cent. instead of three per cent. stock, that advantage had been obtained without any additional charge to the public. It was true, that last year in the first instance only 108*l.* 5*s.* in the navy five per cents. had been offered for every 100*l.* of exchequer bills; but the measure succeeded only partially—less than half the amount required was funded—and it was not until a considerable addition was made to the premium that the whole sum, amounting to above twelve millions, was subscribed for. That, however, which he had mentioned, was only a part of the proposition which had been made. In addition to the proposal for funding twelve millions of exchequer bills, it had been deemed advisable by government to give an option to such of the holders of exchequer bills, as might think fit to subscribe an additional sum of 50 per cent. in money; for which they should receive debentures. It appeared desirable to vary as much as possible the nature of securities of this description, and to multiply them from

year to year, as occasion might require, in order to suit the different classes of monied men by whom they might be held. It was thought advisable, therefore, to propose, for this additional subscription, a security between that of the public funds and that of a floating security (such as exchequer bills) transferable from hand to hand. For this purpose it had been proposed to issue debentures, bearing an interest of five per cent. capable of being funded at a certain period at a fixed rate of stock, transferable by indorsement alone, and thus possessing a character of greater solidity than that species of security which was transferable from hand to hand, and which was therefore subject to deterioration by loss or robbery. It was proposed, that the interest on each of the debentures should be payable in April and October, and that it should be at the option of the holders to have them paid either in money or in stock on the 5th April, 1815, or any 5th of April afterwards during the war, or finally on the 5th of April twelve months after the ratification of a treaty of peace. If stock were accepted, it should be exchanged for these debentures, at the following rates, viz.—for every 100*l.* debenture, 100*l.* in the 5 per cent. navy annuities, 120*l.* in the 4 per cents. or 150*l.* in the 3 per cents reduced annuities, the funding in any of those stocks at those rates bringing an equal charge on the public.—By this measure an advantage would be gained by the public of obtaining whatever sum of money might be subscribed, at a rate of total charge of 18*s.* per cent. less than would be created by the original mode of funding Exchequer bills: and the loan which it would be necessary to contract, would be very much diminished—an object under the present circumstances of the highest importance. While the public derived this benefit the holders of debentures would enjoy the advantages he had already enumerated, of having, at a fixed period, an option of stock or money, and in the mean while of possessing a security as readily transferable, and yet more stable in its nature than Exchequer bills. He was aware it might be said, that in granting an option to the holders of debentures to take stock or money, they would of course take that which at the period would be most against the public, and that the public would be injured in the proportion that the subscribers were benefited by this choice, and that the unfortunate circumstances of the Loyalty Loan might be recollected by many gentlemen and arrayed in argument on this occasion against him. But on a fair consideration of the subject, he thought that this and other disadvantages would be fully compensated by the advantages which the public would derive from the plan. In the first place, if the stock were preferred, there was no reason to suppose that, at the period contemplated, the funding would be more disadvantageous to the public than at the present moment. He had already stated his intention to propose a grant to the commissioners for the reduction of the national debt of 1 per cent. on all Exchequer bills outstanding. He also proposed an addition of 1 per cent. on the debentures as sinking fund, that they might be redeemed at the same period. He was not sure that he had explained the nature of these securities sufficiently to gentlemen who were not so conversant with such matters, as those with whom he had conversed in the morning, but he had given an outline of their character, and he should be happy to afford any further information respecting them that might be required.—The amount of the charge that would be brought to the public, if the whole should be accepted, would be 360,000*l.* consisting of 5 per cent. interest, and 1 per cent. sinking fund.—He would now proceed, in conformity to his notice, to submit to the consideration of the committee the taxes which would be necessary, in order to make that provision for the sinking fund which was involved in the Bill in progress through the House, provided it passed into a law. If, on the other hand, parliament should not think it advisable to give the Bill their sanction, at least he would not be liable to reproach for having neglected to provide supplies which might be applicable to defray the charge and sinking fund of Exchequer bills outstanding. Reverting to the financial occurrences of 1802, he observed, that although the noble lord then at the head of the Treasury (lord Sidmouth) did not provide a sinking fund for the sum funded in that year, yet the taxes imposed to defray the interest and charges of that sum had exceeded the estimate by four or five millions. This excess of produce, which went to the consolidated fund, he (the Chancellor of the Exchequer) might have been justified in applying to the services of the current year; but it was so important to maintain the consolidated fund, that it appeared to him to be

very inexpedient to take such a step, and to be far better, however inconvenient in other respects, to add to the existing taxation. In addition to the 870,000*l.* which in the developement of his financial plan, he had shown to be necessary to supply the drain on the sinking fund, the committee would recollect, that in providing the supplies for the last year, there was one proposition—the auction duty—which he had calculated at 100,000*l.* and which having abandoned, it became necessary for him to supply the consequent deficiency in the consolidated fund. The total sum, therefore, that it became requisite to raise by permanent taxes, was nearly a million of money, viz. 870,000*l.* to be applied to the sinking fund, and 100,000*l.* the deficiency occasioned by the relinquishment last year of the auction duty. For the purpose of providing the last mentioned sum, it was his intention to propose to the committee an additional duty on tobacco equal to that imposed on it last year, which duty he would estimate at 100,000*l.* although probably it would produce more. He was not aware that this new tax would occasion any inconvenience; or at least he was persuaded that it would cause as little as any that could be devised. With regard to the greater sum of 870,000*l.* the principal tax that he meant to propose to meet it, was an increase of the custom duties. He thought this would be infinitely preferable to any augmentation of the assessed taxes, or of the stamp duties, which had lately been so much increased. As the most convenient mode, he proposed to raise the sum of 8 or 900,000*l.* by a general increase of those duties, with certain exceptions. These exceptions were the duties on tea, sugar, wine, raw silk, and cotton wool. On the other articles which paid custom duties he proposed an increase of 25 per cent. No such general augmentation had occurred since 1804, and only one partial and small increase in 1805. Under the existing circumstances of the country this increase would be comparatively little felt. For the country had, until recently, been so much excluded from foreign trade, that, until lately all foreign articles had come to our markets, what with the difficulty of transmission, the charge of freights, &c. under an augmentation of expence, greatly exceeding the proposed rate of duty. Many circumstances had, however, recently combined to render those articles at the present moment cheaper to the consumer, even with the increased tax, than they were last year without it. He would estimate the amount of the increase of the custom duties, at from 850 to 900,000*l.* In addition to this, however, he meant to propose a slight augmentation of the excise in a particular branch of it. He proposed that this should take place on French wines, an article of mere luxury, entirely confined to the higher orders, and if checked in the importation, or wholly shut out, he should consider it to be a national advantage. On French wines, he proposed to lay an additional excise duty of 13*d.* a bottle, which would be about 18*d.* to the consumer; a tax that could not be considered very burthensome to the country.

The produce he estimated at 30,000*l.*; no very important sum; and one indeed which it would hardly be worth while so to raise, were not the subject itself one so proper for taxation, that even were it likely to produce less, or were the consumption to be so diminished as to impair the existing produce of the duty upon it, he should still feel it to be incumbent upon him to make his present proposition. The estimated produce, therefore, of the permanent taxes would be 850,000*l.* from the general increase in the consolidated duties of customs, 100,000*l.* from the duty on tobacco, and 30,000*l.* from the duty on French wines, making in the whole a sum somewhat short of a million, to answer two objects—the support of the sinking fund, and to make good the defalcation caused by the abandonment last year of the auction duty. And here he would observe, that although he had thought proper thus to propose a substitute for the auction duty, he had by no means lost sight of it. He did not think it would be satisfactory to take it for the purpose of contributing to the immediate supply; but he reserved to himself the liberty of proposing means to prevent fraud, and to regulate the duty, if he should thereafter find it necessary so to do. Those which he had mentioned were permanent taxes. He should next propose to lay some further taxes under the head of war taxes, for the general purpose of assisting the supplies for the year, and for the particular object of providing for the one per cent. sinking fund on exchequer bills outstanding on the 5th of January of each year, to be granted to the commissioners for the reduction of the national debt. These war taxes he wished to class under the heads of imports and exports. The first that he

should propose would be a general increase of duty on the importation of all goods and merchandize the manufacture of the French empire, and of all countries dependent on France. It was true that trade licences to France and her dependencies were not now granted by government, but it was obvious that circumstances might render it politic to renew them; and we had an undoubted right to retaliate on the enemy all the oppression in which he had persevered against our commerce. He proposed to double the war duty on such articles. Those war duties were at present equal to one-third of the consolidated duties. He proposed to add to them the amount of the other two-thirds, thus making the whole of the duties in war double the duties in peace on French goods. It was extremely difficult to estimate the probable produce of this increase. It would vary with the state of our intercourse with France. If he took the average of the last three years, he would say that it might amount to 200,000*l.* Some articles were wholly prohibited; of others, the difficulty of importation was great; but by taking the various articles, and allowing one as it were to insure the other, he was confident the produce would not fall short of that which he had just stated. With respect to the exports, the trade about to open, would, in all probability, be so great, that no material inconvenience could, in his opinion, arise from adding a half per cent. to the present export duties. In peace, such a proposition would be impolitic—not so at the present moment. He calculated that it might produce about 150,000*l.*; and on this branch of increased revenue he thought he might confidently rely. [Mr. Baring here adverting to the increased import duties, asked the right hon. gentleman to what countries they were to be applicable?] Certainly the increased import duties would be on goods coming from all countries dependent on France. It would give him great pleasure to see those duties lessened by the diminution of the number of those countries.—They were not to attach to the exports of any country in amity with his Majesty; and the declaration of that amity would immediately cause the cessation of those duties. The only other additional duty on exports which he meant to propose was, a duty of a penny a pound on the exportation of foreign hides, which would operate very advantageously on our leather manufactures in foreign markets, and it would have been proper perhaps that ere now this measure should have been adopted, as hides might be considered as in some measure a military store. The only remaining article of proposed taxation was one which he was induced to adopt on political as well as on financial principles—it was a duty on the importation of American cotton wool. The American government had declared their principal ports to be in a state of blockade, extending from Rhode Island southward; thus endeavouring to deprive our manufacturers of that important raw material. He had every reason to believe, that, if proper encouragement were given to the importation of cotton wool from our own colonies, this stoppage on the part of the Americans would be wholly innoxious to this country. It was obvious, however, that to create this encouragement it would be necessary to secure the merchant, bringing cotton wool from such a distance, against losing by his speculation. If the merchant incurred the danger of having his cotton intercepted in our market by the American cotton, he would be in a state of little promise and great uncertainty. Unfortunately such an occurrence had lately taken place:—when the American government imposed the embargo on their ports, which occasioned a temporary stoppage of the exportation of cotton wool from the United States, encouragement was given by government (in order to prevent injury to the British manufactures) to the importation of large quantities from our own colonies. But unluckily it came too late—the Americans had taken off their embargo; and, unprotected by such a countervailing duty as that which he was about to propose, the British merchant sustained very considerable loss. It was to prevent the occurrence of similar events that he was induced to make the proposition to the Committee. The Committee were aware that the Sea Island cotton was the finest imported from America. The object which he had in view was, to procure the fine article from the East Indies, by affording a sufficient encouragement to the importers. There was at present a sufficient quantity on hand of every kind, except the Sea Island, and it was a necessary ground of his measure, intended to promote the importation of the finer kind, to prevent the ruin which would fall on the importer by any sudden competition. With this view, he proposed to lay a protecting duty of three half-pence per pound

on all American cotton imported in British ships, and a duty of sixpence per pound on all such cotton imported in foreign bottoms. The whole consumption of cotton in our own manufactures was 80 millions of pounds, of which 30 millions 3-8ths came from America. The deficiency, even if none were now imported from America, would be made up by that imported from the West Indies and Brazil. There was only one objection to this measure, which was, that it would raise the price of the raw material on the manufacturers in the first instance, and eventually on the consumer. With respect to the home consumer, he thought, however, that it could be hardly felt, and with regard to the export trade, he was of opinion there was no reason to apprehend any rivalry on the continent of Europe, and America was at present out of the question. He apprehended that no fear could be entertained of any competition in France, when the duty on cotton now existing was five shillings per pound, whereas the duty in contemplation here would only amount to ninepence entirely, which threw at present a sort of monopoly of this article into our hands. As to the other nations of the continent, some of whose territories were the seat of war, and whose general internal insecurity was adverse to commercial enterprize, but little could be apprehended from their competition. He conceived, at the same time, that it would be desirable that government should have the means of varying this measure according to circumstances, and with this view he had in contemplation to propose that a power should be given to his Majesty in council to suspend or reduce any of those war duties, according to any circumstances which might arise at this important crisis to make it expedient so to do. The right hon. gentleman then concluded by saying, that he hoped he had provided the charges required by the public service in the least objectionable manner. It was difficult in these cases to calculate exactly, but he thought he had here made ample provision for all reverses as the taxes in question would, in the ordinary state of trade produce (he should suppose) three times as much. Any surplus in the present case would go into the war taxes, in aid of the other resources of the country. He proceeded to move his first resolution, for providing for the outstanding exchequer bills.

Mr. *Baring* allowed that the right hon. gentleman had made very ample provision for the purposes which he intended; and though he should not now make any observations on the financial part of the statement laid before the Committee, he could not suffer the proposed measure of laying a duty on the importation of cotton from America to pass unnoticed, conceiving it to be a subject of the very first importance. He felt no personal inducement for opposing the measure, as he was neither a manufacturer or importer; but his attention had been particularly directed to the subject, in consequence of Mr. Perceval having attempted to introduce a similar measure two years ago, which from the apprehensions it excited among the manufacturers, he afterwards abandoned, a fate which he trusted would attend the present proposition. The same objections still existed to the measure; and there was a greater degree of danger, for the proposed duty was larger. The Committee must be aware, that, if American cotton came at all to this country, it must come in neutral bottoms, and were this measure carried it would pay a duty of 9*d.* per pound. The prime cost of the article in America was only about 4*d.* per pound. The imposition, therefore, of so high a duty, became a question of the utmost delicacy, inasmuch as it operated to produce competition against our manufactures both in America and on the continent. The Committee should pause before they sanctioned a step, which, if it proved to be a false one, would endanger the industry of so many thousands, and a capital of so many millions. If it ended in establishing a competition to any extent, the mischief would be irretrievable; because, though the right hon. gentleman spoke of a suspending power to be vested in his Majesty in council, it must prove wholly insufficient as a remedy after the evil had occurred. The encouragement of the importation of the best raw material he thought the best step which a practical statesman could take; and he trusted the absurdity and danger of the measure would be proved by evidence at the bar of the House, which he thought it the duty of those gentlemen connected with the manufacturing districts to call for. The fact was, that India did not produce the cotton they wanted; and it was well known that the Sea Island cotton was selling at twenty pence per pound, while the best East India cotton did not bring more than half that price, being generally of inferior quality. The favour-

able state of things on the continent would, of course, bring out all the Baltic traders who, as neutrals, would go to the best market, and procure American cotton, which would enable the continental manufacturers to enter into competition with our own on the most unequal terms. The resource, however, suggested to prevent this, was the blockade of the American cotton ports. But leaving out of the question the ungraciousness of entering into immediate collisions with the Baltic powers, whose newly acquired neutrality must be so highly beneficial, he believed that the whole navy of England would be inadequate to the effectual blockade of the cotton ports. Besides, the Georgia cotton could easily be conveyed to St. Augustin, in Spanish Florida, from whence it would be exported in defiance of our blockade. Besides, it might be exported in the first instance to the ports of Portugal, and the manufacturers would have to pay the increased expense of the circuitous navigation to this country. It should also be considered, that if you shut up, or contracted, the export of American cotton, it was in fact offering a bounty to the rising manufactures of that country. If the measure was intended as an encouragement of India cotton, it should be considered that a speculation of this sort had already utterly failed. During the American embargo, some merchants were encouraged to bring cotton from India; and when it reached this country, it was not saleable, because, in the mean time, the American ports were opened. The more the subject was considered, the more the House would see the danger attendant upon the proposed measure; and though he was reluctant to oppose any proposition which had for its object the supplying of the public exigencies, yet he certainly felt it his duty to object to this impost in every stage. The hollow policy of attempting to force a growth which was not natural to a country had been successively demonstrated by the orders sent for cotton to the East Indies at a former period, which, when it arrived, could not be made use of; by orders sent for rice, which when it arrived, found us all in plenty; and by orders for hemp, when we quarrelled with Russia.

Sir *Robert Peel*, as a person long acquainted with the cotton trade, and a witness of the rapid improvement in the manufacture since Arkwright's invention, strongly deprecated the proposed measure. The improvement effected had attracted the notice of Mr. Pitt, so much that he thought it desirable to encourage the importation of the raw material from all parts of the world, free of duty upon cotton. The export of cotton goods from this country had, in one year, amounted to the enormous sum of eighteen millions. The brutal policy of Buonaparté had, however, shut out our manufacture from the continent, and now, when a favourable opening was appearing once more, the right hon. gentleman was going to impose taxes which would produce all the effects of Buonaparté's continental system. The poor people were just recovering from the distress they had so deeply experienced, but he was persuaded that this measure would again involve them in misery not much inferior to that which they were escaping. He would venture to assert, that if the raw material was suffered to come free into the ports of Great Britain, that the produce to the revenue would be three times as great from the export of manufactured goods, as from the duties now proposed to be laid on the raw material. It had been the wise maxim of Mr. Pitt to get as much as possible of the raw material into the country, and when there was a surplus, to let it find its way out again. The Board of Trade had been beset by some cotton merchants, who proposed this absurd measure. They were told that this duty was intended as a regulation to encourage the cotton of the East Indies, but he would ask, whether they were always to be at war with America? Were they to send their money for the raw material to the East Indies, when their manufactures would not be worn in return? He hoped this mischievous policy would not be adhered to, and that the good sense of ministers would induce them to abandon it.

Mr. *Phillips* expressed his unqualified disapprobation of the proposed tax, and implored the right hon. gentleman to recede from his intention of carrying a measure which he thought was impolitic, which he believed would be unproductive, and which he knew was oppressive.

Mr. *Gordon* said, that by adopting a tax of this kind, they would be doing all they could to give stability to the American manufactures, and enable them to rival us on the continent. At present, the Americans sent cotton-yarn to Europe, and particularly to Russia. The cottons of India, he would admit, were not in general suitable to this country, but he believed that

under the influence of a free trade suitable cottons might be imported from India.

Mr. *Lascelles* protested against the measure, as one that was not likely to be a mere war measure, but intended to be persisted in for the benefit of the production of the East Indies. Even allowing that to-morrow the same quantity and quality of cotton could be procured from the East Indies as from America, it would be still doubtful whether its importation should be encouraged, for they should consider the terms on which that article could be procured, and the relations in which they stood with those from whom they imported it.

Sir *John Newport* urged the inconsistency of encouraging the importation of an article, while a suspending power was at the same time vested in his Majesty in council; and he argued against the policy of proposing any measure which would operate as a bar to the return of amity between this country and America. Nothing, he thought, should be done by this country in the spirit of vexatious hostility, or which could tend to widen the breach which unfortunately existed.

Mr. *Finlay* said the duty would do the utmost injury to the cotton manufacturer. Were it calculated to press on America, he would not object to it, but it was only calculated to injure our own manufacturers.

Lord *Stanley* contended that the operation of the tax would fall not upon the Americans, for they imported through neutrals, but on our own manufacturers.

Mr. *Canning* declared that he thought the objections to the measure of his right hon. friend were of such a nature, and applied so directly to both the points of view in which it could be regarded, that he believed his right hon. friend would be under the necessity of abandoning it. It was not so much a war tax as it was a measure which contemplated ulterior political purposes. On one side the object was to prohibit American produce; but as his right hon. friend brought forward the measure, it took away every security. First, there was a blockade; but by enacting the duty, it was expected that the blockade would be ineffectual. Then, to counteract this ineffectiveness, it was enacted, that the duty should last only for three years; but, this sounding like a security, was countervailed by its being subjected to be relaxed at the will of the executive government; and who would answer, that importunities to the board of trade, during the vacation of the House, might not avail to take away these securities at the very moment when they should be most necessary?

The *Chancellor of the Exchequer* wished to explain one or two general principles, in which he had been misrepresented. The first opposer of the measure had accused him of instigating the blockade with a view to the duty. He did not mean to shrink from any share of responsibility for that measure; but as connected with any financial project of his, he wholly disclaimed it. It was never brought into account as a financial measure, being considered to be subject to too many contingencies to be reckoned upon: and so far from the blockade supporting the tax, the tax was intended to support the blockade. He then intimated that he should not object to give up the power of suspension, if that should be pressed: but thought it might be desirable for those who pressed it to suspend the duty. It had been stated, that the measure would be a bar to our accommodations with America, and that she would oppose countervailing duties: she had already opposed every check in her power upon the introduction of British manufactures; she had already done her worst, and imported no more British manufactures than were absolutely necessary. He did not go further into the subject, as there would be many future opportunities of discussing the measure: and he was glad to afford one by announcing his intention of not including the duties in the same Bill; and therefore proposed to report the resolutions at the usual time; but instead of a Bill, to say Bills.

Mr. *Ponsonby* said, that it would be more candid not to report this Resolution to the House, since so many gentlemen opposed it, and take the sense of the House on the question of the Report. If the public agreed with these gentlemen, as to the mischief which would arise from coming to the Resolution, they would immediately conclude that the House intended to adopt the measure. He, therefore, thought they had better postpone the Report.

The *Chancellor of the Exchequer* said, he expected considerable opposition to the measure, from the communications with which he had been honoured out of doors.

Mr. *Ponsonby* said, there were such strong objections to it, that if the right hon. gent. pressed the Report, he should take the sense of the Committee upon it.

Lord *Stanley* said, that not a single speaker had been found to agree with the right hon. gentleman.

Lord *Castlereagh* said, that it was not the usual course, on questions of this intricate nature, to disallow them to pass the Committee, but to report them to the House; and if there were then any disposition to postpone the Resolution to any distant day, to discuss the question there. To do otherwise would be to extinguish the measure at once.

Mr. *Ponsonby* said, he did not oppose the measure merely as a tax, but as a war measure,—not so much on account of the money which might be raised by it, as on account of its destructiveness to the interests of our manufacturers, and to those views of restoring peace with America which we all entertained.

Lord *Castlereagh* still maintained his argument, that the proposition of his right hon. friend ought not to be negatived and resisted *in limine*, and extinguished before it could be debated on its general merits.

Mr. Ponsonby pressing a division, the question was then put, when the Chancellor of the Exchequer declined to press the question, and proposed to bring it forward in a Committee of Ways and Means on an early day. Mr. Baring required previous notice; and the Chancellor of the Exchequer proposed Wednesday next, but said he would give a day or two's notice. Mr. Ponsonby dared to say, that on reflection, the right hon. gentleman would not bring it on at all. The House then resumed; and the Report of the Committee was ordered to be received to-morrow; and the Committee to sit again on Friday.

HOUSE OF COMMONS.

Thursday, April 1.

MINUTES OF EVIDENCE TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE OF COMMONS ON THE EAST INDIA COMPANY'S AFFAIRS (*Continued*).] The House having again resolved itself into a Committee of the whole House, on the Affairs of the East India Company; Mr. Lushington in the chair.

WILLIAM COWPER, esq. was again called in.

Mr. *Cowper*.—I am extremely apprehensive, lest, in discussing the subject of these Resolutions, which I had occasion to cite yesterday, any expressions that may have escaped me, may by possible construction be interpreted into an intention to impeach the motives of the gentlemen who framed those resolutions; on the contrary, I am satisfied that one and all of the most respectable gentlemen whose names were signed to that paper, were actuated by the purest spirit of benevolence, and that they were under the strongest conviction that the greatest blessings would result from their exertions. [The last question and answer, in the Minutes of yesterday, were read over to the witness.] I particularly alluded to the mutiny, among the native troops at Vellore, originating as was very generally believed in some orders or military regulations forbidding the sepoys when under arms or on duty to make use of their distinctive marks of cast: this mutiny, as well as the cause assigned for it, whether true or false, must have been public in the Carnatic, over the Coromandel coast, in Bengal, and indeed throughout India; in point of time this deplorable event is too recent to allow a hope that it can have been forgotten, or the impression obliterated which it was calculated to produce among all ranks of the Hindoo persuasion.

You entertain the apprehension rather from what passed in the Carnatic and in Vellore, than from any thing you have yourself seen or experienced in Bengal, where your residence was?—Certainly; it is only the event that I have mentioned, that I am apprehensive would operate in the way I have had the honour to state last night. From all my own experience of the natives of that country, I am persuaded that nothing is so likely to produce even the expulsion of the English from India, as any interference with their religious tenets: I could cite instances of persons, whenever the subject of religion has come into question, losing all that respect and deference which at all other times marks their demeanour with respect to their superiors in India.

Would it be agreeable to you to specify one or two of those instances?—I will: it happened to myself to be conversing with a Mussulman native, who held a high situation in the Nizamut Adawlut; in the course of conversation, some unguarded expressions unfortunately escaped me, which he misinterpreted into some disrespect to his prophet; instantly his eyes glared, his countenance altered in the most extraordinary manner, and he looked at me with an aspect so ferocious, and indeed was so visibly agitated by passion, that I am convinced, unless I had imme-

diately endeavoured, by soothing expressions and an acknowledgment that the offensive words had undoubtedly escaped me, I have hardly a doubt that he would, had he had a weapon, have employed it against me; this person was a learned Mussulman gentleman; circumstances had occurred, which had enabled me to be instrumental in his elevation to his situation which he at that time possessed, and which was in fact one of the highest stations that, latterly, our government had it in its power to confer upon that class of natives; but neither the recollection of this, nor any other consideration, the moment there was any question of disrespect to his prophet, seemed to operate upon him. I mean to infer from this, that there is almost equal danger of giving offence, in matters of religion, to Mussulmen and Hindoos. I cannot now specify any number of instances, but, from all my intercourse with them, I know they will greatly bear and forbear; their endurance is without limit almost, where the government and governors of the country are concerned; but if once it was to enter the imagination either of Mussulman or Hindoo, that there was any design or intention to interfere with the exercise of their religion, as I have already stated over and over again to the Committee, I am satisfied there is no extreme to which either class might not be driven.

Can you state any instance of an Hindoo?—A person in my own employ, for a great length of years, a bramin of a very high cast, was used to talk with me, and with every body, on the subjects of his own religious persuasion. He was always in extreme good humour as long as I seemed to acquiesce in all the points that he thought proper to state to me; but whenever it happened, as it did sometimes, that I grew weary, and took an optunity to point out some inconsistency or absurdity, as either might strike me, in the mere trifling rites and ceremonies which it was his custom to talk upon, I can hardly state in too strong terms the way in which this operated upon him; it seemed to harass and afflict him to the greatest degree.

These appear to be instances of direct insult or disrespect to these religions; do you conceive that a simple proposition of the principles of Christianity, by a missionary, without any power or any influence from government, or any sort of disrespect to those religions, simply proposing the doctrines of Christianity, would be likely to be attended with those effects?—As I recollect, I have also had the honour to state to the Committee, in the course of my evidence last night, that a missionary, or any number of missionaries, described as the hon. member has now described it, utterly unconnected with any of the ruling powers, would be a perfectly harmless being; but supposing these propositions to be so made under the sanction of government, in any form, the case would entirely be altered. It would be very difficult to make an Hindoo understand that a recommendation was not imperative upon him, inasmuch as in that country, as far as I am acquainted with it, whatever emanates from the ruler is considered by them as imperative; an expression of the most distant recommendation, on the part of persons in power, is received by the Hindoos and the Mussulmen as a kind of order.

Was the Resolution passed by this House in 1793, relative to the conversion of the native Indians, ever publicly known in India?—It was not; and I now understand that it never received the sanction of government; a circumstance of which I was not apprised yesterday.

Do you believe that the contents of any act of parliament to be now passed for the renewal of the Company's charter, or for the administration of the affairs of India, are likely to attract the attention of the natives of India, living under the British government?—Most undoubtedly.

Do you believe that fears and alarm and discontent are likely to be occasioned in the minds of our native subjects in India, by any expressions or provisions in such act of parliament, which should indicate an intention on the part of the British government to attempt their conversion to Christianity, or to encourage such attempts?—I think that the greatest alarm would be created in the minds of the natives of India, in the case specified by that question; I should even apprehend, that the very greatest danger would arise from any intention so formally expressed in an act of the legislature, even to the endangering of our empire at no very remote period.

Do you think that such feelings in our native subjects would be sufficiently guarded against, by the insertion, in such act, of a disavowal on the part of the British government to use force or compulsion for the purpose of such conversion?—Certainly not.

Do you think that any alarm or discontent would be excited among our native subjects in India, by the addition of a few dignitaries to our own church government, if such addition were stated in the act of parliament to be necessary to supply the spiritual wants of our own European servants in that territory?—Certainly not.

Are not subjects connected with the religion and religious customs of the natives of India, freely discussed in the college in India; and are not the following topics propounded and discussed by the students in that college, namely, "the Asiatics are capable of as high a degree of civilization as the Europeans; the suicide of Hindoo women, by burning themselves with the bodies of their deceased husbands, is a practice repugnant to the natural feelings, and inconsistent with moral duty; the distribution of Hindoos, in the casts, retards their moral improvement?"—I cannot answer that question of my own knowledge.

If such subjects were the subjects of disputation publicly in the presence of the moulavies and pundits, the learned men of India, would not you infer considerable danger to our establishments in India?—I should.

As you have stated that an observation made by you to a Mahometan of rank was received by him with such indignation, what effect do you suppose that an observation of this kind, made in the presence of persons of rank and character and learning, in India, would produce; "numerous indeed are the advantages to be derived from the ardent, diligent and unremitting toils of well-informed and zealous missionaries, impressed by the deepest sense of duty, and eager to diffuse the divine light of revelation; may we not expect to see this night of more than Egyptian darkness succeeded by the cloud-dispelling dawn of Christianity; and may we not hope to see these ignorant and deluded people learning justice from its law and mercy from its gospel?"—I should think a very dangerous one.

In a former part of your evidence, you have stated that the Resolutions passed at a meeting in this metropolis, were calculated to produce the most dangerous effects; which of the two declarations, that which has now been stated to you, or the resolutions which were published by the meeting referred to, was calculated to produce the greatest injury?—I should think that there would be very great danger in both.

Do not you know that the Society for promoting Christian Knowledge, has sent missionaries to India, and supported them there for nearly 100 years past?—I do not know exactly; I certainly could not state from my own knowledge, what particular institution it was which enabled the few missionaries I have ever heard of or known in India, to go there for the purpose of propagating the Christian religion.

Did you ever hear of a very eminent missionary of the name of Swartz, in India?—I have; a most respectable person, universally respected and beloved; he was at Madras; but I had no personal acquaintance with him, nor ever saw him.

Have you ever been informed of the services which he rendered to the English government there, and to the natives of the country; and what was the nature of those services?—I know that this gentleman was attached to the court of Tanjore; and I have heard that he was respected by all ranks of people; that he was a great favourite, and had a very great influence over the rajah of that country; but whether he ever had an opportunity of making any converts from among the natives I really cannot state.

Do not you know that the rajah of Tanjore was extremely desirous of making him the guardian of his son, at his death?—I think I do recollect that circumstance; I believe it occurred while I was in council at Calcutta; I recollect that some such proposition came to the governor general.

Do you think it might not tend to the improvement of the Hindoos, and to their civilization, if schools were established in different parts of India, for the purpose of teaching the native children the English language?—I certainly think that the institution would be a very good one, but I very much doubt whether you would be able to prevail upon them to send their children, unless the persons instructing them were of their own persuasion; I should imagine, long before this period, there must be a vast number of persons, in Calcutta at least, even among the brahmins, who possess a very accurate knowledge of the language, both as to speaking it and reading it; before I left Bengal, I met with several persons who could converse very familiarly in English, and I understood at that time there were seminaries, to which the children of a great number of the Hindoos particularly were sent for education; and I conceive, that being many years ago, the same plan probably

having been pursued, that description of persons must now be very much multiplied.

THOMAS GRAHAM, esq. was called in. The substance of his examination is as follows:

Mr. *Jackson.*]—How long have you been in the service of the East India Company?—From 1769 to 1808. In Bengal I have filled all the successive stations in the civil department. I was in council during the government of lord Cornwallis for about eight months, and in the government of lord Wellesley for about eight months.

Are the habits and prejudices of the native Indians, generally speaking, of a fixed and unchangeable nature?—Certainly, they are no doubt of very quick sensibility; peculiarly susceptible of affront with respect to their religious prejudices; impatient of opposition with regard to their religious superstitions; quick and jealous of affront with respect to their women. I think a promiscuous intercourse of Europeans with the natives of India might lead to the most mischievous consequences.

Supposing the trade to India to be opened in the manner described, would it not be necessary for the new adventurers to have houses and warehouses, and other means of settlement?—I apprehend it would, unless they were to employ those agents, although established at the Company's settlements.

If unlimited intercourse was allowed with every port in India, would they be inclined to transact their own concerns?—They might endeavour to transact their own concerns, but I do not think that they would be successful, inasmuch as, having no agents, nor finding any agents at those places previously established, they would not be able to purchase any articles of commerce.

Do you apprehend that any material influx of new settlers could be kept (either with regard to their conduct, or emigration into the interior, or intrigue with persons living in the interior) in sufficiently strict controul and coercion to prevent such consequences?—I conceive it would be exceedingly difficult to prevent them from improper interference in the affairs of the country.

Supposing them to have this licence of going to every port in India according to their discretion, do you think they could be kept from getting into the interior of the country, if such were their object?—Unless restrictions were to be imposed upon them previously to their going to India, I do not think that they could.

Supposing them to succeed in eluding the authority of government, and getting into the interior, what are the consequences which you would apprehend to result therefrom?—That they would get into personal quarrels with the natives, which might be productive of general insurrection.

Supposing a native to be treated with violence or oppression by an European, can they prosecute an European but in one of the three principal courts?—They cannot a British subject.

Looking at the general circumstances of the natives, with whatever degree of violence or oppression they might be treated, would it be in their power so to prosecute; could they afford it?—They could have no other means of prosecuting but by proceeding to the principal stations where the courts of judicature were established, and that they would be obliged to do at a very heavy expence and inconvenience to themselves and families.

Supposing them, from the want of capacity or other cause, to be thus disappointed of obtaining legal redress, what do you apprehend might be the consequence?—That they would revenge themselves upon the individual who had been the cause of the offence.

Supposing redress to be practicable, and the punishment of the European the consequence, what do you apprehend with regard to the European character, in the estimation of the natives, should such punishments frequently take place?—I think it would tend very much to degrade their character, and take from the respect which they have been hitherto held in.

Do you apprehend the maintenance of that respect essential to the maintenance of the British authority in India?—I think it most important.

If any material number of those new settlers were to misconduct themselves, do you think that the government could with any degree of convenience send them home, a measure now resorted to but in extreme cases?—I think it would be extremely incommodious for the government to exercise that authority over such persons, inasmuch as they might be liable hereafter to be called upon to answer for their conduct in this country.

If such persons were expelled from the British territories in India, what do you

apprehend might be the consequence?—Ruin to themselves I apprehend.

Do you think that they might find employ, or secret or open encouragement in any degree, from the native chiefs?—If they were to get into the courts of any of the remaining native chiefs, I think it very probable that they might intrigue with them, to the prejudice of the public interest.

Do you think, with this universal licence of visiting India, that British subjects might not find their way to the courts of the native chiefs, if such were their object?—I conceive they might.

Concluding upon the trade to India being opened from every port in the United Kingdom to every port within the limits of the Company's charter, and looking to all the circumstances which you are able to judge of from your experience, do you think that so opening the trade is consistent with the safety of the British empire in India?—I think the promiscuous intercourse that it would create might be the means of ultimately shaking the empire in India.

Do you think that thus opening the trade to India would increase the consumption of European articles among the natives of India?—I do not think it would.

Have the natives at present, the great mass of them, the power of purchasing European articles, were they so disposed?—Certainly they have not; because such articles as they want for their own use, they can manufacture at a cheaper rate. For clothing, they use the common muslins; and there are no other articles which at all associate with the description of European clothing, that they are at all in want of, or use. The cotton worn by the common people they get at a very cheap rate indeed; a family, or an individual of a family, can supply himself for a whole twelvemonth's consumption at the cost of a couple of shillings, comparatively speaking. Furniture they use none; their principal place of rest is on the ground, and they eat their victuals from an earthen platter, which they buy, I suppose, for not the value of half a farthing. This remark applies to 99 in 100.

In cases where the natives have acquired property, do they direct its expenditure to the purchase of European articles?—Some few, resident in the principal towns, do purchase some few articles, such as looking-glasses and glass ware.

Can you state whether such natives as have a desire for the purchase of European articles, have a full and perfect opportunity of making such purchase?—Certainly they have; at the principal settlements of the Company they are to be found.

Have you had an opportunity of seeing with what degree of success captains and officers have carried out adventures of European articles?—Of later years, I imagine, almost all of them must have been losers by their speculations in European commodities from this country.

Have you any doubt, then, that European articles are now, and have been for a considerable time past, rather a glut than otherwise in India?—Certainly they have been, and in many instances have sold considerably under prime cost.

Have European artificers and handicraftsmen began some of their respective manufactures in India?—They certainly have.

Do you think that an unlimited and unrestrained access to India might not very materially increase this disposition to manufacture in India such commodities as may be required?—As the commodities manufactured by European artists in India are generally for the consumption of either the army or the civil service, it is not likely that it would increase beyond the demand.

In proportion to whatever European demand there might be, do you apprehend such unlimited access to India might increase general manufacture, according to that proportion?—I apprehend that the pursuit would be entirely regulated by the demand, in as far as I could observe at the time of my leaving India, such persons as did so employ themselves were able to meet all the demands.

Do you conceive any individual going into the interior among the natives, would be likely to commit any such outrage as would bring upon him what you state would probably be the case, the being murdered or torn to pieces by the natives?—It is probable that, from ignorance, he would trespass upon some of their religious prejudices; and the consequence, in all probability, would be the forfeiture of his own life.

Do you think that if a person escaped the forfeiture of his life, he would afterwards, in consequence of any error he may have committed, of interfering with their religious prejudices, be a person likely to intrigue with effect with any of the native powers?—Certainly not, as far as the Hindoo chiefs may be concerned.

Can many of the Hindoos read English printing?—Many of them, resident at the principal settlements of the Company, not only can read, but they can write English, and remarkably well, some of them. They are of different casts; some of them of the first cast. They were in general very much in the habit, from curiosity, of reading English publications, particularly newspapers.

While you were in India, was the press licensed?—The press had no regular license in India; the business of printing was followed as a profession by those who had the means of carrying it on.

Were there any other restrictions upon the liberty of the press, than those which the common law of England imposes?—I am not aware that there were any other restrictions; I have understood that there was an order of government, directing newspapers, such as were published here, to be sent for inspection to the secretary, previous to their being circulated.

Do you recollect any person ever having been sent from India, home, on account of having written any thing which the government disapproved of?—I have a recollection that a person was sent home, but I cannot remember the name of the person.

Would the government have sent home any person who might have written any thing which the government might have conceived dangerous to be published in India?—I conceive it would have been their duty to do so. I conceive that the exercise of such a power is essential towards the preservation of a good understanding throughout the country.

Do you conceive that an unlimited communication with India by strangers might facilitate the publication of works dangerous to the tranquillity of India?—I apprehend that such publications would depend upon the means which the persons had of printing and issuing them.

Do you know whether the native princes of India are desirous of retaining in their service Europeans, bred to the military profession?—Hitherto they have been, and I have no doubt would be at all times, desirous of having such persons in their military corps.

Do you know how many officers Mons. Peron had collected in his service?—I have no recollection as to the number, but I apprehend that may be ascertained by the returns that were made to government, at the time of the war in that part of the country.

Do you know whether they might have amounted to four or five hundred officers?—I cannot charge my recollection as to numbers.

Do you know whether those officers, whatever number they might have been, consisted of the natives of various European countries?—They certainly did.

If any native power could collect a similar number of officers, would it be dangerous to the Company's possessions in India?—I have no doubt it would, and past experience tends to show it.

Do you know whether the Company derived any revenue from the procession of the idol Juggernaut?—They certainly did: not from the idol, but from permission to visit the temple.

Do you know whether they attempted, by all means in their power, to prevent the cruelty attendant upon that procession?—They most certainly did.

Was it possible for them entirely to prevent it?—During the time I remained in India, after they were in possession of it, I do not recollect numerous accidents happening.

What are the cruelties with which the idol Juggernaut is connected, and to which you alluded?—Many of those going for the purpose of worship, when the car was drawn out in procession, used to devote themselves to destruction, by getting under the wheels.

In what manner did the Company acquire any revenue from the natives, as connected with that procession?—By issuing certificates of permission to visit it, for which they paid a certain sum; not the procession, but the temple.

The revenue, then, did not arise from tolerating the cruelties, but from permission to visit the idol itself?—No, the government endeavoured all in their power to restrain such mischiefs.

Had the Marattas laid on any duty upon the persons visiting that idol, before the Company acquired possession?—Certainly they had.

Do you conceive that there would be any serious danger to the British interests in India, from the admission of a few additional merchants and agents at the different presidencies and stations on the sea coast in India?—I do not, provided they were under similar restrictions as those who now are there.

Do you think that any danger would arise from the admission of those Europeans occasionally into the interior, for mer-

cantile purposes, under the present restrictions and regulations of the Company?—Under the limited sense of the question, I do not conceive that any danger could ensue.

Do you conceive such interferences would be likely to arise?—I think they might, through the medium of the manufacturers respectively employed.

Do you conceive that such interference would be likely to create a competition in the market, which might raise the prices beyond those usually given by the Company?—I do not think it would.

Do not you conceive that such interference would be likely to create a rise in the price of the articles, the manufactures for instance, so as to increase the demand of the weavers?—I do not think they would, for the prices given by the Company for the articles provided on their account are very liberal, and the manufacturers themselves are perfectly satisfied with those prices.

Are the prices given by the Company equal to those given by the private merchants?—As far as I ever understood it, they are as high.

How comes it, then, that it was understood the natives prefer dealing with private merchants, to the Company?—My belief is perfectly the reverse; the manufacturers prefer the Company's employment, because they are sure of its permanency, and they look upon all other purchasers as precarious.

How comes it then to be necessary to station peons, or native officers, at the houses of the weavers, to prevent the interference of private merchants, till the Company's investments are provided?—Because of the manufacturers not being always so honest as to reserve the goods manufactured with the Company's money for the use of the Company, and to dispose of them very often to private merchants.

Then the Company pay for their goods before they receive them?—They make advances in money for the manufacture of them, previous to their being manufactured.

For what purpose are those advances made?—For the purpose of enabling them to buy the material with which they manufacture the goods, for they have no stores.

Are the weavers not kept constantly in arrears to the honourable Company?—I apprehend only in arrears from their own deficiencies of deliveries.

Are not the native weavers subject to corporal punishment if they do not fulfil their engagements with the Company?—During the whole of my residence in India, for 39 years, I never heard of it.

The further examination of the witness was postponed. The chairman was directed to report progress, and ask leave to sit again.

Weymouth Election.] Lord *A. Hamilton*, in pursuance of his notice, rose to move, that the remainder of the evidence taken before the Weymouth and Melcombe Regis Election Committee be laid before the House. He observed, that upon this subject some prejudices had prevailed, which he trusted he should be able to remove before he sat down, as well as to shew that it was important that all the testimony taken before the Committee should be produced. The Report made was, that three of the sitting members were disqualified, in consequence of a breach of the Act against treating, and a special Report was subjoined, stating that certain abuses prevailed to a great extent among the voters of the borough. Much of the evidence taken applied, however, to a third point not hitherto openly noticed, the improper and illegal interference of his royal highness the duke of Cumberland to procure the return of certain members—and what he then called for was the whole of the remaining evidence, which related to what he considered to be the improper and unconstitutional interference of the duke of Cumberland. Whenever a charge of this nature was substantiated, (as he conceived it to be in the present case) it became the duty of parliament to interfere, unless it meant to hold forth to the world, that its declarations and its resolutions against such illegal influence and interference adopted at the commencement of every session, were mere matters of form, that ancient but useless custom had prescribed. He did not intend to impeach the decision of the committee on the Weymouth election, although, perhaps, he had differed in the conclusion of the majority, but he wished to call the attention of the House to a subject not noticed in the Report, though expressly stated in the Petition against the return of the sitting members. If the House wished to preserve its own purity, or to maintain the respect in which it was held by the people, it behoved it very seriously to consider the present case, and to ap-

ply to it the resolutions, which only a very short time since it had adopted upon the subject. Before he proceeded further, he should beg the Clerk to read part of the petition on the subject of the burgesses of Weymouth, setting forth the improper interference of the duke of Cumberland, and also the two resolutions which the House entered into at the commencement of each session, relative to the illegality of any interference on the part of peers of parliament in the election of members of the House of Commons. (The Clerk accordingly read that part of the Weymouth petition complaining of the interference of peers of parliament, and the resolutions of the House against such interference). Having thus proved the cause of the complaint, and that the offence complained of was contrary to their resolutions, he should call on the House to give him documents to bring home the fact to the persons charged with the offence. If their resolutions against the interference of peers in elections were not to be acted upon, if they were never intended to operate or be resorted to, he could only say that they were calculated to form a snare to himself and to others bringing forward similar measures, and a subject of derision to the country. It was, no doubt, disagreeable to pass any censure on persons of the rank of those charged in the present case; but their own character ought not to be sacrificed to such considerations. The subject which he had now brought before them had given rise to a rumour that the Committee would found an official report on it, and the evidence on it had been circulated through the country in the newspapers. This evidence he had verified by comparison with the Minutes of the Committee. He should read a letter from the duke of Cumberland which had been published, and which he had compared as above. The noble lord then read from a newspaper in his hand a letter from his Royal Highness, dated St. James's, October 2, 1812, to J. F. A. Stewart, and a part of the evidence, in which it was proved that his Royal Highness had a private conference on the subject with a candidate concerning the business of the election. He would not occupy the time of the House by producing any more evidence of interference; but, if any further was thought necessary by members, he assured them he was prepared to produce it. He should assume from what he had shewn that his case was established. It had been said out of doors that his Royal Highness acted only as a trustee, and this argument must, he supposed, have had weight with the Committee, but there were three other trustees who might have legally interfered in the motion, but they did not interfere, as it appeared that the duke of Cumberland wished to have the management of the whole business. The House had always scouted the idea of any parliamentary reform, (he spoke of the determination of majorities, and not of any speeches made in that House; but if they would give him the evidence he asked for, he would shew them a strong reason for a reform in parliament, indeed he knew of no greater reason for reform than that with which the evidence would furnish them) but if they rejected the motion with which he should have to conclude, the advocates of that measure would read this evidence and declare with justice, that the House of Commons was unworthy of their confidence. There was one fact which had escaped him, which he should state to them as strongly proving the fact of interference. The duke of Cumberland had got into his possession, the writ for the election, and had paid the price for it. This in itself was so palpable an interference, that if it did not rouse the House to resent it, any attempt to awaken them to a sense of their own dignity would be fruitless. He had waited for some time to see in the first place whether any special report were made from the Committee, and in the next place whether any member of that Committee would draw their attention to the subject; but having waited in vain, he could not see the evidence circulate without notice. He should in the first place call for the documents, and then, if the evidence were as he described them, he should feel it his duty to propose some measure, which, however, it would be proper at present to abstain from determining on. As he had thought it his duty to interfere in other cases where the privileges of the House were at stake, he could not refrain from acting in the present instance, which he thought the most aggravated he had ever witnessed, and particularly induced him to come forward, as no other member thought proper to stir in the affair: he would not urge the House to do any thing more than to lay the documents on the table. He would not make any further motion, nor would he pretend to say what the nature of such

motion should be; but he thought, if the evidence were produced and proved, the facts which he had stated would prove some ulterior proceeding must be had, in order to vindicate the character of the House, and to shew to the people that the House was not unmindful of their rights. He would conclude, by moving "That there be laid before the House such parts of the evidence, given before the Committee of the Weymouth and Melcombe Regis Election, as are not included in the Special Report of the Committee to which the Report was referred."

Mr. *C. Long* observed upon the novelty of the motion before the House, and the dangerous nature of its tendency. When they referred a petition to an election committee, they referred the whole matter connected with it to their deliberation and decision, and nothing could be more obviously wise, than that they ought as seldom as possible to recur and re-investigate the evidence on which a determination had been come to by those to whom they had so delegated their authority. The Committee had the power of examining upon oath, the House had not. The noble lord had stated, as a ground for acceding to his motion, that the Petition alleged the improper interference. To him this appeared a very strong argument against the motion, for it shewed, that the attention of the Committee had been called to the subject; and, therefore, there was the less reason for the interposition of the House. The Petition had also contained accusations of the same kind against persons holding office; and he had been much astonished that he was himself the person so pointed at. Knowing how utterly unfounded this charge was, he was the more ready to suppose, that the charge against the duke of Cumberland was equally groundless. For himself he could say that he never knew any thing of these attacks till he saw the publication of the *ex parte* statements of an advocate in a news-paper; the same news-paper he believed would not do him the justice to insert the refutation of the charge. Of such publication (the first time it had ever taken place) he had hoped that notice would have been taken, and that it would have been prevented; for a practice so unjust could not be sanctioned by any party. As for the share he had in these terrible offences, he would briefly state what it was. He had written to a near relation of his to ask his vote for a particular candidate to whom he wished success. He had thus acted towards his brother-in-law, and this was the dreadful matter arrayed up against him as the grossest and most atrocious infringement upon the elective franchise, and as a violation of the constitution itself. (A laugh.) But there was still a grander discovery: it was found out that in his letter to his brother-in-law, asking his vote, he had employed the plural number, and said "we" are desirous of his being successful. By ingenuity worthy of the discoverers of this plot, it was argued, that he, being a cabinet minister, who used the word, (which he was not) that therefore 'we' meant all the cabinet ministers, and then, indeed, there was proof of a dreadful conspiracy against the elective franchise of the borough of Weymouth, in all his Majesty's ministers. The tyranny of Jacobinism itself had never yet attempted to prohibit any person holding official situation, either from exercising his elective franchise or canvassing his friends and his relations. The counsel on this occasion, he had heard, had handled him very roughly; and of this he did not complain, but merely mentioned it to shew that as the learned gentleman had been so grossly imposed upon and so much mistaken about him, it was not improbable that he might be in error respecting the duke of Cumberland; the circumstances relating to whom were no doubt highly coloured, exaggerated, or totally misrepresented. But the great argument against the motion was, that the Committee had had all these matters brought directly before them for their deliberation, and not seeing any ground to report thereon, ought to weigh strongly against the reconsideration of the subject. Upon these grounds he moved as an amendment to pass to the other orders of the day.

The *Speaker* having put the question, with the amendment, for passing to the Weymouth Voters Bill, being the next order of the day,

Mr. Alderman *Atkins* having been the organ of the Committee, begged to say a few words. He referred to their special Report, and contended against any motion for fresh evidence, which the Committee to whose judgment the House delegated the investigation, had not thought to be necessary. The Committee, acting on oath, had examined into all the allegations contained in the Petition, and they had found that which charged the improper

interference of peers to be unworthy of reporting upon. He would now, perhaps, astonish those who heard him, when he should give them a specimen of the manner in which this grave charge of interference on the part of the peers and of the government was supported. As an example of its nature he would state, that lord Rivers was one of the peers so charged, and one of the witnesses proved that it was said to a voter, "if you give your vote thus you will please lord Rivers;" but upon being asked "had the person any authority to use lord Rivers's name?" the answer was—"Oh no; only he thought it would be agreeable." The House must have thought little of the Committee had they troubled them with a report upon charges which dwindled into such insignificance as this. He expressed a hope that the House would not think it right on light grounds to disturb the result to which their Committee had come after an anxious discharge of their duty upon oath. With regard to his Royal Highness having obtained possession of the writ, he put it to the chair and the House, if that had not been for the conveniency of the election. No improper motive was alleged—no improper use had been made of it; but it had been taken to be forwarded to its destination with every possible dispatch. He could not help thinking that if the House were to entertain the motion of the noble lord, their doing so would be a serious reflection on the conduct of the Committee.

Mr. *Wynn* contended that the arguments of the last speaker were totally subversive of the rights of the House, and of election committees. The duty of the latter was to decide upon the seat, and with that decision their judicature was closed. Any other resolution they might come to it was not imperative on the House to receive. The House in this instance had however received a further report and part of the evidence, and he continued to be of opinion that they ought to have it all produced. The arguments on the other side had been no answer to the noble lord, who asserted that a breach of privilege had been committed. The right hon. gentleman (Mr. Long) thought the interference of the duke of Cumberland had been exaggerated, because the representation respecting his own he knew to be untrue. The letter produced and read by his noble friend, clearly shewed the interference of the duke of Cumberland. His noble friend had assured the House, that he had compared that letter with the minutes of evidence taken by the Committee, and pledged himself it was correct. And the hon. gentleman (Mr. Aikins) thought they should not enquire into the interference of the noble duke, though proved by his own letter, because a charge without foundation had been made against lord Rivers. Obtaining possession of the writ was, he argued, an offence in a peer, though it was blameless in a commoner; and though the House ought not lightly to re-discuss the matters which they had sent to a committee; he thought there were sufficient grounds laid for taking such a step in the present instance. The independence and dignity of the House required that they should accede to the motion on the grounds laid down by the noble lord: but even on the ground of further information being necessary to enable them to understand the Bill which stood next on their orders, the production of the rest of the minutes of evidence was necessary.

Mr. *Bathurst* said, the last speaker had introduced a new view of the question, and called upon them to accede to the motion, on the ground that the information called for was necessary to enable them to form an opinion upon the Bill in progress through the House. The House had decided against this the other night, and he denied that any farther evidence was necessary on this subject. All that related to the points to which the Report was directed, was before them. He then came to the noble lord's argument, who had laid a case before them, with which if they complied, it would be the first example of the kind that had ever been given. There was no doubt that the House was competent to go into the matter if they thought fit, and he also agreed with the last speaker, that the determination of the return was the definite object for an election committee. But yet what the committee did not think proper to bring forward, was entitled to their respect, and ought not to be moved, except upon very strong grounds. If they went into such a practice of reforming the judgments of their committees, on their special reports—if they took up questions of this sort, they did (whatever compliments they might chuse to pay them at the time), call the committee before their tribunal for trial, in a case where they had acted upon their oath, in the endeavour faithfully

to discharge the trust reposed in them. He noticed the election petition from Westminster, which by many was thought to be presented merely to libel the House; but still the House would not act upon it, but pursued the principle which dictated the reference of such matters to a committee, upon whose report they should proceed. By the act of parliament the House did delegate its functions to its committee; they did not abrogate them now, as argued by the noble lord, if they refused his motion. As for the facts assumed by the noble lord, he knew nothing of them: but he knew that the committee did not think these matters worthy of a report to the House. But even were a committee to be in error, it would be better that it should be left so, than that by the interference of the House they should be placed in this obnoxious situation. Such a motion as that before them infringed on the principle on which their committees were founded, and as such he should give his vote for the amendment.

Sir *John Newport* said, the arguments which had been adduced against the motion appeared to him to be inconsistent with each other. The right hon. gentleman who had just sat down, asserted that the act of the committee was so far decisive, but he would not go the length of saying, what was maintained by an hon gentleman (alderman Atkins), that it was final. The course taken appeared to him to be adopted for the purpose of blending a question of right with a question of decorum. It was said, that it was improper for the House to interfere in matters touching the merits of disputed elections in the first instance, it would be still more injudicious to do it in the second, after a committee had decided. But the cases were completely distinct; because, if they took cognizance of the case, in the beginning, their proceedings might probably affect the right of the parties sitting, or of those who petitioned against them, which was the specific point that must ultimately come before a committee; but where the committee had decided as to the right of sitting in parliament, the House were not precluded from exercising a discretion with respect to other circumstances. If it were a question relating to the seat, the House could not entertain it—on that subject they must agree with the committee; but it was for the House to judge whether other circumstances did not exist, though unnoticed by that committee, which required investigation. He was surprised at the hesitation of the hon. gentleman (Mr. Alderman Atkins) to give an opinion on the question, "Whether a peer of parliament procuring a writ of election, was an interference with the orders of that House?"—The order expressly said, "No peer of parliament shall interfere, in any manner, with the election of members to that House." Was it then no interference to get possession of the writ of election? The order in fact was stronger than he had stated it, for it said, that a peer should not even "concern himself" in such elections. But the hon. gentleman denied that any interference had taken place, because the writ was sent to Weymouth as soon as possible. That very expedition might be necessary to the object which a peer had in view, it might best answer his purpose to get it there as soon as possible. This was a case which peculiarly called for the intervention of the House, on account of the rank of the individual engaged in it—the higher the person, the more it behoved the House to be guarded in their proceedings—for in proportion to the elevation and rank of the party concerned, with the more suspicion and jealousy would the public view the conduct pursued by them. When such a case was presented to them, as that made out by his noble friend, he could not believe, until he saw a majority opposed to the motion, that they could so far forget their own dignity and character, as to refuse documents, tending to prove whether there had or had not been a breach of the privileges of that House.

Mr. *Rose* conceived, that when the legislature conferred upon committees the power of investigating the merits of elections, it also determined to rest satisfied with the decision of these committees. He believed that there was no one instance to be found in the records of parliament, in which that House had required the production of any thing beyond that which was submitted to them by their committee; it would be highly inconvenient to have a precedent established, by which the House should be empowered in every case to investigate the proceedings of a committee, and so to have a distrust in the decision of those who had been solemnly sworn to try the merits of any election. By the Grenville Act, the whole of the charges against the election of the sitting members, of which the interference now complained of formed a part, was submit-

ted to the Weymouth Committee. They accordingly had made their report, and he recollected no instance in which, after such a report was given in, the House had determined to make farther enquiries. If such a precedent was to be established, it would empower the House not only to try the merits of the question of election, but also to try the conduct of every member of the Committee. Could the hon. member produce any instance of the House having investigated the proceedings of an election committee? The splitting of votes in the boroughs of Weymouth and Melcombe Regis, was certainly an abuse which called for the interference of the House, and which should be prevented; but he could not see what that had to do with any concern which a peer might have taken in the election. On these grounds, he found it to be his duty to vote against the motion of the noble lord, as a contrary course would go to defeat all the salutary provisions of the Grenville Act to which he had alluded.

Mr. *Whitbread* rose amidst cries of question! question!—observing that he should be glad if some of those gentlemen who had made up their minds, and were so clamorous for the question, would favour him with some of their arguments against the motion; for hitherto he had remained quite unconvinced by all that he had heard on the opposite side. The whole gist of one right hon. gentleman's reasoning was, that by acceding to the motion, the Committee would be placed in an awkward and embarrassing situation. But whose fault was that? Had they not done so themselves, by overlooking this flagrant invasion of the freedom of election? He observed that the right hon. gentleman (Mr. Rose) had merely said, that it would be inconvenient for the House to establish a precedent by which it might have the power of investigating the proceedings of any committee, and calling in question the conduct of the members of that committee. In fine, all the arguments which had been adduced against the motion, might be reduced simply to this, that it would bring the members of the committee in an awkward situation. He, however, begged leave to say, that the members of the Committee had placed themselves in an awkward situation, by not producing all the minutes which related to the flagrant breach of privilege. His noble friend had stated in the most express terms, that a royal duke had interfered with the rights of popular election, and in contravention of the resolutions of parliament, in two several ways: one was, that he got the writ for Weymouth into his possession, thus obtaining the control over it. To this it was replied, that no undue delay ensued; but it might as readily have been the royal duke's interest to send it expeditiously as to delay it; and the simple act of getting possession of the writ was an infraction of one of the annual resolutions of the House. Having thus obtained controul over the writ, the illustrious duke informed the electors that he wished them to vote for his friend; and to induce one of them to do so, he writes to him that he had some communication with lord Liverpool about some place which that elector wished to secure for a relation. The second charge made by his noble friend was, that the royal duke had written a letter to a Mr. Stewart, begging him to support what was called the Johnstone interest at Weymouth, and promising that he would use his interest with lord Liverpool to procure him a place. It appeared, also, that the duke of Cumberland had got connected with the borough by being trustee under a will, in which he had three commoners partners with him,—but that he took upon himself sole management. Here, then, was influence and interference of the most palpable description; and it was really astonishing, that the same men should attempt to get rid of it, who, in a former parliament, in the case of the Hampshire election, had raised such an outcry, because a secretary of the treasury, himself a freeholder, had written a letter to a friend, requesting him to vote for a particular candidate. It might be in the recollection of many gentlemen, that a hideous clamour was then raised against this exercise of an undoubted right and privilege, by some who now deprecated any investigation of the grossest and manifest abuse. Was not this statement of his noble friend a proof of interference in the election? Why did the duke interfere with the Weymouth election, when his situation as a peer made any interference a breach of privilege? A certain learned gentleman had said, that as in a case of a nature somewhat similar, where he had been accused, nothing of importance had been proved; therefore it was to be supposed that nothing of importance could be proved against the duke of Cumberland. This was a mode of reasoning as strange as it was inconclusive.

A worthy alderman had gone so far as to say, that he doubted the right of the House to enquire into the proceedings of the Committee. He believed that this hon. member would be found to be as far wrong as his brother alderman, who had claimed it as a matter of right that the city of London should be allowed to present petitions by means of their sheriffs. The House had a right, and it was their duty to enquire into the proceedings of the Committee, neither ought it to neglect this duty, even although the members of the Committee were in an awkward situation. As a means of getting rid of the motion, the order of the day had been moved; but what was the order of the day? It was for the reading of a Bill, the very preamble of which showed that the House should not allow it to proceed until the motion before the House was complied with. Now, when it was offered to be proved that other gross abuses took place on the same occasion,—when, indeed no doubt could exist on the subject,—it was said, no, we will overlook these, and legislate for the other. Inconsistency like this would undoubtedly place the House, where it was said the Committee ought not to be placed, in an awkward and embarrassed situation in the eyes of the people, who would say, with much appearance of truth, that they strained at a gnat while they swallowed a camel. Instead of correcting abuses, and strengthening the freedom of the election, he verily believed that the real effect of the Bill would be to give this borough, fast bound, into the hands of the royal personage whose abuse of influence was offered to be proved. This would be the effect of the Bill. (No, no.) He would repeat it, this would be its effect, if carried as originally framed. Gentlemen on the other side must surely be aware, what a handle their conduct would give to the friends of parliamentary reform, whom they professed to regard as such dangerous innovators, but whose arguments, already convincing to his mind, must be rendered irresistible, by refusing to take cognizance of such notorious abuses. If the Bill was allowed to pass, and the motion of the noble lord rejected, it would give the borough, fast bound, into the hands of the duke of Cumberland, as long as he had the administration of its affairs. He therefore hoped that the House would accede to the motion.

Lord *Castlereagh* thought that the hon. gentleman had much better have urged any other argument in favour of the motion than what he had said about the preamble of the Bill. The hon. gentleman had stated, that in the preamble of the Bill it was specified, that great abuses had existed in the election for Weymouth; and this was really the case, for such was the substance of the preamble: but the hon. gentleman had said that the Bill purported to provide against these abuses, although the House had refused to enquire into their nature, and thus that the Bill professed to provide against abuses, the nature of which the House had not ascertained. Was this the case? The Committee had enquired into the abuses which existed in Weymouth, and the nature of these abuses had been specified. Would it not therefore plunge the House into greater confusion and injustice, were it, after delegating to the Committee powers of such extent, to reserve to itself the power of investigating its proceedings, and of calling in question the conduct of every one of its members. Supposing such a thing to be admitted, the House might perhaps take a very different view of the whole mass of evidence—of the conduct of certain witnesses—and of the credit due to the testimony of certain persons. By acceding to the motion, the House would introduce greater evils than those which were obviated by the Grenville Act. It would be highly unjust to drag persons to be visited with parliamentary vengeance, who had, to the best of their judgment, executed the functions of their office as members of a committee. If thirteen members of the House were chosen to try the merits of an election, the House could not take better security for the liberty of the subject and the privileges of parliament, than by resting on the judgment of those thirteen members. He thought the noble lord perfectly right when he said that the interference of peers in elections ought not to be allowed, and that it should be noticed when brought before the House in a regular way. Without denying to the House the right of jurisdiction on that subject, he thought that it would in the case then before them be best exercised by putting confidence in the decision of the Committee.

Mr. *Brand* observed, that if any gentleman in his place were to state that a peer had interfered in an election, contrary to the Resolution of the House, would they reject any motion made on the subject? Why then reject such a motion because

such an interference had been submitted to a committee, and that they had not reported it? He knew not why the Committee did not report it, but when a noble lord stated the circumstance in his place, the House were bound to entertain his motion.

Mr. *Abercromby*, though aware of the inconvenience which would attend a general interference of the House with the proceedings of committees, thought there were circumstances in this case, which called on them to enquire into it. The gentlemen who composed the Committee might perhaps think that their functions were limited to the right of seat, and did not extend to the guardianship of the privileges of the House, but whatever were their reasons for stopping where they did, good grounds had been laid for the House proceeding further to investigate this matter.

Mr. *Macdonald* did not desire that this charge should be brought forward. In the committee he was of opinion that it was a very bad thing that such charges were preferred, but he thought it a much worse thing that such charges were irresistibly proved against his royal highness the duke of Cumberland. To the majority of the Committee it appeared that his Royal Highness, acting as a trustee, was a justification of his conduct: of that majority he was one, It was also thought by the Committee, that it was discretionary, not obligatory, with them to report on any collateral subject; and with this opinion he also agreed. But he did not think that a justification for withholding from the House all knowledge of the transaction, particularly as it appeared to him that his Royal Highness's interference arose out of a systematic intention on his part to procure to himself, to the exclusion of the other trustees, the administration, nay, the agency of the borough. The right hon. gentleman (Mr. Long) who appeared rather sore on the question, from a charge, although without foundation, having been made against him, had said, that he was incredulous as to the charges made against his Royal Highness, on account of the want of any foundation for the charges against him: but before the charge against his Royal Highness could be discredited, the right hon. gentleman must get rid of the letter of his Royal Highness, which had been allowed to be authentic by every person. He had no hesitation in saying, that if the transaction alluded to had been completed, and it was completed as far as depended on his Royal Highness, it would have amounted to direct bribery. He did believe, there was no doubt in the mind of any member of the Committee, but that the conduct of his Royal Highness was indecent and improper. The question before the House was extremely narrow: when a member of parliament stated, that he was able to prove a gross violation of the privileges of the House, and of the freedom of election, could the ears of the House be deaf to such a charge?

Lord *Brooke*, as a member of the Committee, thought it his duty to observe to the House, that the letter which had been several times mentioned, might receive an interpretation perfectly different from that which had been given to it by several hon. members. The Committee did conceive it to be their duty to enter into the consideration of every thing connected with the election; and if any thing very flagrant on the part of the duke of Cumberland had appeared, they would have mentioned it in their Report. Persons who knew not every thing connected with the affair, put that interpretation upon the matter which was most injurious to the duke of Cumberland, whom the better informed committee absolved from this censure. When he said this, he did not so much allude to the letter, as to what had been said about the writ. Had the noble lord been in the committee, he would have known that the letter was not a direct interference on the part of the duke of Cumberland, but was an answer to a letter from one of the electors.—In the letter the expressions were nothing more than would have been made use of by any person who wrote to an elector, whose vote he wished to secure. The Committee had felt how unjustly the duke had been attacked. He wished the House to put confidence in their committee, and to believe that they had done their duty, and taken all the circumstances of the case under their consideration. If the Committee have come to a wrong judgment, then it was competent for any member of the House to bring the whole business under the consideration of the House. He was apprehensive, that the measure proposed would lead them to interfere with the jurisdiction of the Committee. It would be transferring the House into an appellant jurisdiction.

The *Attorney General* opposed the mo-

tion, on the ground that it would afford a precedent of the House entertaining by way of appeal, matters which by an act of parliament were referred to a committee. (He then read several clauses of the Act, to prove that the committee had the power to resolve and report on any collateral matters if they pleased.) He allowed, that the House might agree or disagree with such resolutions; and if the committee had come to a resolution on this subject, then the House would have been competent to decide. The Act, he contended, proved, that it was the intention of the legislature to refer all matters concerning the election to the committee. That by the method attempted to be introduced by this motion, every individual might be compelled to state their opinions as to the evidence before the committee for the space of three weeks, and could this be said not to interfere with the committee?—it would go to transfer to the House as an appellant jurisdiction, all that power which the legislature had given to the committee.

Mr. *Ponsonby* said, if he had not seen the hon. and learned gentleman reading clauses from the Act, to prove that the House should not agree to the motion, he should himself have read them, for the purpose of persuading the House that it was meet for them to concede it.—The act of parliament was elaborate in its distinction between those matters on which the committee were called, on their oaths, to decide, and those on which it was quite discretionary for them to report or not. On the merits of the petition, as it affected the election, they were bound, by the law, to give judgment; however difficult the case, the law compelled them to decide between the competitors in a disputed election—but all other points were matters of discretion, he might say, of indifference; and the committee might pass them over without notice. It was a matter of private judgment and taste in the committee, and not of duty, whether they should report on other points or not. As to the evil of an appellant jurisdiction, on which the hon. and learned gentleman had laid so much stress, it should be recollected, that jurisdiction existed already in every case where a committee reported specially. That report was not binding, but it remained with the House to say, whether the committee was right or wrong? Surely, the hon. and learned gentleman did not mean to say, that if a matter affecting their privileges was disclosed in evidence, the House should not examine the facts, because they were not noticed by the committee. The present was a question of propriety—"Was it fit that the House should interfere?" He contended that it was their imperative duty, where any peer meddled with the rights of election; but they were more peculiarly called upon to act, when the interference was not merely that of a peer—but was exerted by a peer of the blood-royal. For what would have been the case if the lowest nobleman in the peerage list had been concerned in such a transaction? would he have been screened by the House, as it was attempted to screen the noble and royal duke?—This conduct, however, in a member of the royal family, he considered as a double breach of the privileges of the House, as coming from a British peer, and from a member of that illustrious family who might one day sit on the throne of these realms. The right hon. gentleman then dwelt on the expression of a member of the committee, who had stated, that perhaps it would be better not to advert to the conduct of the illustrious duke, unless it had been extremely flagrant. Was the House then to understand, that unless the conduct of men in that elevated station were of the most flagrant nature, they were not to take notice of it while it affected their privileges? He thought the House bound to interfere in this case for the preservation of their rights, and for the sake of public opinion; for, from the expressions to which he had already alluded, it would be inferred by the public, that if it were not that a member of the royal family was implicated, they would have vindicated their rights. He was convinced, that unless the House now expressed its sense of the transaction, they would soon have more flagrant instances of those interferences.

Mr. *Atkins Wright* and another member of the Committee declared upon their honours and consciences that they had made no distinction of persons.

Lord *A. Hamilton* said, that the gentlemen opposite, on the present occasion, did neither deny the case nor the law, but objected merely on the ground of some technical informality. He would, therefore, take the sense of the House upon it.

The House then divided, when there appeared, Against the motion 105; For it 57; Majority 48.

HOUSE OF LORDS.

Friday, April 2.

PETITIONS FOR PEACE.] Lord *Holland* said, that several Petitions had been entrusted to him, which he thought it his duty to present: he concurred with much of what was stated in them, but it was not his intention to ground on them any motion. The petitioners, in very eloquent and forcible language, depicted the evils that resulted from the continuance of the war, and expressed their opinion that a fit opportunity had arrived for entering into a negociation for peace. He was as sincerely desirous of peace as the petitioners, but he had thought it right to state to them when they requested him to present their Petitions, that he thought petitioning parliament on the subject rather tended to defeat their object. That they should afterwards, notwithstanding, request him to present their Petitions, was to him a gratifying proof of their confidence in his sincerity of the desire he had expressed for peace. He had great hopes after the glorious successes of our ally, that an opportunity might be found for putting an end to the calamities of war, but these hopes had now become much fainter. He could not know what opportunities ministers might have had of opening a negociation, but he was willing to believe that no fit opportunity had been neglected. He trusted, however, that they entertained no chimerical notion of wresting from France what she had acquired during the last twenty years, or of humiliating the great prince who now ruled that country. He could have wished, however, that some declaration had been put forth, explicitly stating the objects for which we were at war, and which, if properly expressed, must, he conceived, have had a manifestly good effect, not only in satisfying the people of this country, but in indisposing the people of France to make further sacrifices for the continuance of the war. That such a step had been taken was the more to be wished after a proclamation which had been published, addressed to the people of France, and with which he trusted ministers had no concern; but although they had no concern in the issuing of such proclamations, still the appearance of connivance, which the absence of any declaration on their part carried with it, would naturally have a bad effect in France, where he did not believe any Frenchman could be found ready to shed his blood in the cause of those whose names appeared to such proclamation, nor did he believe that any Englishman would be disposed to spend sixpence in such a cause. In stating that he did not intend to found any motion upon these Petitions, he was far from intending to condemn motions for peace in parliament; to do so would be to condemn his own conduct, and that of those whose memory was still dearer to him than his own fame. He on the contrary thought, that where a war was conducted upon a principle vicious or injurious, or carried on for objects visionary or impracticable, it was the duty of parliament to interfere. Upon the present occasion he did not think it necessary to make any motion, but he must express his regret that no explicit declaration had been made of the objects of government in now carrying on the war. Before he concluded he wished to rescue himself from a misrepresentation of what he had said upon a former occasion. He had been stated to have intimated that he would make the independence of Spain a sacrifice in negociation: what he actually said was directly the contrary,—that no consideration ought to induce a consent to sacrifice the independence of Spain under Ferdinand and the Cortes, and he now declared the same opinion. Sacrifices undoubtedly must be made, whether in war or negociation, but every consideration of generosity, interest, and policy, called upon us to stand firm by the cause of Spain, now indeed more than ever, and on no consideration ought we to consent to any peace that did not distinctly recognise the independence of Spain under Ferdinand and the Cortes, the only legitimate authority acknowledged by the Spanish nation.

His lordship then presented Petitions from Derby, Ashby de la Zouch, Loughborough, and other places, in favour of peace, which were ordered to lie on the table; also nine Petitions from Nottingham and its neighbourhood, to the same effect, which his lordship stated to be printed; but that being deemed no objection, the signatures being in the same sheet, they were likewise ordered to lie on the table.

EAST INDIA COMPANY'S AFFAIRS.]—Marquis *Wellesley* rose to move that their lordships be summoned for Wednesday, when he proposed to bring forward a motion for Papers relative to the India

propositions referred to a Select Committee. To the appointment of a Select Committee, for the purpose of examining evidence, he had no objection; but he had expected that ministers would previously have given some explanation of their views upon this important question. This was the more necessary, as there was an ambiguity in some of the propositions which rendered it difficult to understand them, and it appeared to him that the principle upon which the propositions professed to be founded at their commencement, was given up in their progress. This principle was the preservation to the Company of all their political rights, and yet it appeared to him that the propositions which followed, would shake the foundation of their political rights in India, and so diminish their receipts at home, as to render them incapable of meeting the necessary demands. There seemed to him to be delusive prospects held out equally to the Company, and to the merchants of this country; an unintentional delusion he was satisfied, but still delusive, as professing to maintain the rights of the Company which would be endangered, and to open the trade to India to the merchants of this country, but which would be so fettered by the proposed regulations as to be unproductive. The propositions, therefore, as at present expressed, appeared to him to be pregnant with danger, and it was on this account he wished to state generally his views upon the subject, not doubting but that ministers would give such explanations as the importance of the question required.

The Earl of *Liverpool* was perfectly ready to meet any and every discussion upon the subject. It was a question of the greatest importance, whether considered in a political, a military, or a commercial point of view, and required the gravest consideration. The course of proceeding understood to have been agreed to was to examine evidence previous to the discussion, in order that they might come to the discussion in possession of the facts connected with the question. It was, however, the right of any noble lord to make any motion he thought proper upon the subject. The noble earl said he had devoted more time to the subject than he had to any other question, and had come to a complete and satisfactory conclusion —the only conclusion which he thought could be consistent with the interests of the country.

Marquis *Wellesley*, in explanation, stated, that what he wished for was the explanation of ministers as to their views of the propositions, which was, he conceived, necessary to a proper examination of evidence.

The Earl of *Buckinghamshire* adverted to the course of proceeding which had been agreed upon, and observed that the propositions would not come regularly under discussion till they came up from the other House, they having only been proposed to their lordships *pro formâ*.

The Lords were ordered to be summoned for Wednesday.

Marquis *Wellesley* presented a Petition from certain merchants of London, on behalf of themselves and certain ship-builders in India, praying that provision might be made to allow their ships the benefit of British registry, the same as with regard to ships built in our other colonies. His lordship expressed his concurrence in the object of the petition, observing that most important services had been rendered by the shipping of India in the war against Tippoo Sultan, in the expedition to Egypt, in the capture of the islands in the Indian seas, and he could not discover any reason why those ships should not be admitted to British registry. It was a very narrow view of this subject that would exclude them, that would refuse to take advantage of so essential a source of strength. The fact was, that the ship-builders of the port of London, and the different artisans employed by them, had been benefited, according to a statement he had before him, by the repairs necessary for eleven teak ships that had arrived in the river from India, to the amount of 200,000*l.* and which ships had taken out cargoes to the amount of 600,000*l.* The interests of the country, so far from being injured, would be benefited by the employment of India-built ships, which would in time of peace form an admirable nursery for our seamen. It was essential also, with a view to keep pace with the increase of the navies of other powers, that we should avail ourselves of every resource within the limits of the territories of the British empire. At all events the ship-builders of India felt themselves intitled to be placed upon the same footing as those of other colonies in having effectual provisions made for the admission of their vessels to British registry.

The Petition was ordered to be referred to the East India Committee.

Lord *Grenville* expressed his concurrence in what had fallen from his noble friend as to the propriety of having some explanations relative to the propositions, in which he thought there was considerable ambiguity. A question of this vast importance could not be discussed too much or too often. He had no doubt whatever upon the point, that the commerce of India ought to be thrown open to the enterprize of the merchants of this country, but it was essential to take care that the regulations imposed upon it did not defeat the object proposed. It struck him that the regulations in the propositions as now framed, would defeat the object proposed, and that a delusion would thereby be practised upon the merchants, who would incur a loss instead of deriving an advantage, and this he thought an amply sufficient reason for having the subject discussed without loss of time. As to the Petition presented by his noble friend, he was decidedly of opinion that it was a most narrow and mistaken policy that would exclude India-built ships from British registry. Their lordships and parliament were not to legislate for the port of London, but for the whole empire, and there could not be a more fatal error than to sacrifice the interests of a most important part of that empire to the local advantage of any particular city or county.

Prisoners of War.] The Marquis of *Lansdowne* wished to call the attention of ministers to a subject, involving in it the feelings of the empire, and of numerous individuals. He had been lately requested by some of the inhabitants of a sea-port town to present a petition praying for some relief to be granted to the families of the British prisoners in France, many of whom were in great distress. He had suggested that such a petition ought rather to be presented to the House of Commons, but that the relief sought could not probably be granted by parliament, as it would go to too great an extent. He, however, promised to ask a question in his place of ministers, as to the nature of the late offer, which it was matter of notoriety had been made by the French government on the subject of an exchange of prisoners—a subject deeply interesting to the country, involving as it did every consideration of humanity and of policy. He did not pretend to be acquainted with the nature of the proposition made by the French government, nor did he mean to intimate that in the rejection of any such proposition government had been influenced, as reported, by any consideration of the present circumstances of Europe. What he wished to be informed was, whether any proposition had recently been made by the French government to the government of this country, for an exchange of prisoners—whether, if such proposition was made, it had been rejected as inadmissible—and whether, if so rejected as inadmissible, any proposition on the subject had been offered by the government of this country?

The Earl of *Liverpool* said his colleagues and himself felt as deeply as the noble marquis, or as any other individual possibly could do, on all those considerations of humanity and policy which were so materially involved in the question relative to an exchange of prisoners. To bring about so desirable an object no exertions had been wanting on their part; the correspondence which took place upon this subject on a former occasion, had been laid before parliament, and he was justified in concluding from the silence of parliament, that no objection could be made upon that point to the conduct of ministers. The propositions of the French government were wholly inadmissible, and that circumstance, and that alone, had prevented any exchange from being brought about. With respect to the questions asked by the noble marquis, he had no hesitation in explicitly stating, that no authorised proposal had been made on the part of the French government, but an intimation had been given of their disposition to enter into a negociation for the exchange of prisoners, and that an answer from this government had been sent back expressive of our readiness to enter into a negociation upon the basis before proposed; but the offer made by the French government afforded too much reason to believe that they had no other view than to offer the former propositions, which had already been rejected. There was no reference whatever in the recent instance to any particular circumstances of Europe, ministers being ever ready to agree to the exchange under any circumstances; provided it was on a fair and equitable basis, they were willing to make every concession that could be made, consistently with the interests of the country; but it should be recollected that a concession made in one instance, became a precedent in future negociations, and

therefore the utmost care and caution were requisite not to make any concessions which might become injurious to the country. They must make a stand upon some principle; they had gone as far as they could in concession, until compelled to make their stand, and it was then owing to the French government that no exchange had been effected.

Lord *Grenville* expressed his regret that ministers had not published to the world the proposition made by the French government, with the answer returned by them to it, in order that it might at once be seen what was the real state of the question, and that the effect of misrepresentation might be prevented. He happened to know that the French government had circulated the grossest misrepresentations in France, which had had the effect of exciting the greatest uneasiness and anxiety amongst the British prisoners, who were naturally wearied with their long confinement, and many of whose hopes and prospects in life were utterly destroyed by their continued imprisonment. He thought it of the greatest importance that a declaration should be published, or publicity given in some authentic shape, to the proposition of the French government, and the answer of the government of this country, in order that the real state of the question might be correctly known, and that it might be no longer subject to misrepresentation.

The Earl of *Liverpool* stated that considerable difficulty had been felt with respect to a publication of the nature of that alluded to by the noble lord; the proposition made by the French government not having been in writing, but merely a verbal intimation, containing, however, in substance, nothing more than the proposition which had been before rejected as inadmissible. To this intimation it was thought best to reply by an intimation of the disposition of this government to enter into a negociation for the exchange upon the basis formerly offered. In addition to the difficulty of publishing these verbal communications, there was also this objection, that when the terms offered by two parties were published, they became in some degree bound by them, and could not so easily render those terms a subject of new negociation, with a view to any alteration that might be thought expedient. No authoritative proposition had been made, and of course no publication had taken place on the subject. They had felt that an untimely publication of the proposition might defeat the object they had in view.

Earl *Grey* asked, was he to understand the noble earl to have stated that a proposition had been made by the enemy, similar in principle to that which had formerly been made by him and been rejected, which of course was again rejected; but that our government had, at the same time, expressed their willingness to treat on fair ground; that this proposition on the part of our government had been rejected; and that here the matter ended? If he was right in thus understanding the noble lord, he must say that his statement was satisfactory.

The Earl of *Liverpool* repeated, that the terms proposed by the French government were those which had been formerly made by them to this government, and been rejected. While these terms, however, were rejected, the British government stated their willingness to treat on the former terms submitted on their part.

Lord *Holland* said, all he could collect from the noble lord was, that both parties were extremely unreasonable.

The *Lord Chancellor* reminded the House that there was no question before them; and here the matter dropped.

Shop-lifting Bill.] Lord *Holland*, in moving the order of the day for the second reading of the Shoplifting Bill, observed that the law by which this offence of a comparatively trifling nature was punishable with death, was far from bearing the same analogy to our other laws now which it did at the time it passed into a law. The question was simply this, as far as this law was concerned, would it not be better to assimilate the law to the practice? It had been stated as an argument against the present bill, that offences falling under the class of stealing from the person had been on the increase since the repeal of the capital punishment annexed to that crime. It was a lamentable fact, that crime had increased; but he warned the House against the idea of adducing the number of convictions which had taken place since the repeal of the act, as a proof of the increase of that crime; it being a fact that the severity of the punishment, as it formerly existed, was the principal cause of preventing and deterring persons from prosecuting for that offence. One of the great causes of crime was the enormity of punishment in proportion to the offence to

be punished; and crime was increasing, because the punishment prescribed by law was so seldom inflicted. So great a practice had it become for juries to commit pious frauds in fixing the value upon property stolen, that in one day the same jury found property sworn to be of the value of 25*s.* worth only 4*s.* 10*d.* and 5*s.* of half-pence also to be of the minor value of 4s. 10*d.* In this latter case they were no doubt sanctioned by the feelings of the judge himself, who observing that some of the halfpence were bad, humanely interfered, and recommended to the jury to find the diminished value. The judge to whom he alluded was sir Vicary Gibbs, than whom, he understood, never a better judge had sat on the bench.

Viscount *Sidmouth* opposed the Bill, observing, that no representation, as to the inadequacy of the law, as it now existed, had been made to the throne by any of the judges, or by any magistrates throughout the country. He agreed, that the value of an article stolen afforded a very inadequate idea of the magnitude of the crime, and if they were now to legislate on the subject, that would be an inadequate mode of judging. There was now, however, no practical evil, as it now existed, in the law. He therefore moved, that the Bill be read a second time this day six months.

Earl *Grey* contended that there was great practical evil in the law, as it now existed, in as much as the prosecutors, the witnesses, the juries, and even the judge, had inducements held out to each of them, to commit pious perjuries as to the value of the property stolen.

The *Lord Chancellor* contended that the number of offences under the Bill increased enormously year after year, in the expectation of such a Bill as the present passing into a law. Was it an encouragement or discouragement, he asked, in the eyes of any man of common sense, to commit a crime, that instead of being hanged, if he committed it, he could, at the most, only be transported?

Lord *Grenville* conceived that the only question here was, was the offence in question one to which the punishment of death ought to be annexed, or for which it was fit? He came to the House in order to vote for the present Bill, because he did not think the punishment of death fit for such a crime. Every noble lord in that House must have brought his mind to the affirmative or negative of that proposition, before he could give his vote on the present occasion. If the argument of the noble and learned lord on the woolsack was good for any thing, it amounted to this, that it would be advisable at once for every offence, however trifling, to enact the law of Draco!

The *Lord Chancellor* said, he did not say that the punishment of death was fit for every offence.

Lord *Grenville* did not impute that to the noble and learned lord himself; he only said that his argument led to this necessary conclusion. Let the noble and learned lord pick out of the whole catalogue of venial offences, that which he esteemed the most venial; let him wish to prevent it; and if so, would he not, according to the argument he had now maintained, think that he best prevented it by making it capital?

Lord *Ellenborough* entered into a panegyric on the law of England, shewing its superiority to that of every other code of laws under the sun. The law of England no doubt did, in many instances where it was necessary to keep down crime, admit the *ultimum supplicium*, leaving the application of it to the prerogative of the crown. On the existence of the law in this respect, as it now stood, depended the security of all the retail trade of the country.

The Marquis of *Lansdowne* supported the Bill.

Lord *Holland* replied. The House then divided on the question that the Bill be now read a second time,

Contents 15
Not Contents 26
Majority against the Bill—11

The Bill was accordingly lost.

List of the Minority.

Duke of Gloucester	Lord Bristol
Norfolk	Say and Sele
Lord Lansdowne	Holland
Grey	St. John
Grenville	King
Spencer	Darnley
Somers	Rosslyn.

List of the Majority.

Duke of York	Lord Falmouth
Cumberland	Sandwich
Archbp. of Tuam	Walsingham
Bishop of Hereford	Bathurst
Worcester	Sidmouth
Oxford	Shaftesbury
Chester	Grimston
Lord Chancellor	Cholmondeley
Ellenborough	Rolle
Redesdale	Kelly

Lord Kenyon Lord Woodhouse
Rothes Pomfret.
Poulet

HOUSE OF COMMONS.

Friday, April 2.

Minutes of Evidence taken before the Committee of the whole House of Commons on the East India Company's Affairs (*Continued*.] The House having again resolved itself into a Committee of the whole House of the Affairs of the East India Company, Mr. Lushington in the chair,

Thomas Graham, esq. was again called in; the substance of his Examination is as follows:

Upon being examined as to the point, he informed the Committee, that the Company made advances to the native weavers, for the purpose of enabling them to proceed with their manufacture, &c. as he believed, without requiring interest for such advance; and that the commodity was not likely to be produced without such advance.

Do not you know that the intercourse of Europeans with the Malays has been productive of massacres of the Europeans?—I have often heard of accidents of that kind happening, and have always been informed that the Malays are of a very vindictive and violent temper.

Have not whole crews of ships of small burthen been cut off by the Malays to your knowledge?—I have no doubt there have been such things.

What would be the effect of an indiscriminate intercourse of Europeans with the Malays?—I think they would all be in great danger of losing their lives, those resorting there.

You said yesterday, that you thought considerable danger would arise from the promiscuous intercourse between the Europeans that would flock to India, in case of the opening of the trade, and the Hindoos, without certain regulations; do you think the present regulations adopted by the Company in respect of Europeans, not servants of the Company, would be sufficient, or that it would be necessary to adopt any further regulations?—I think it would be very difficult, if not almost impracticable, to frame regulations which would obviate all the bad consequences which might arise.

Do you think that if it was necessary to adopt any stricter regulations with respect to the intercourse between the Europeans, not servants of the Company, and the Hindoos, those regulations would diminish the advantages which would otherwise accrue to the merchants that might engage in the open trade?—Inasmuch as it might subject them to additional expence, by being restrained from pervading all parts of the country, I think it would have that effect.

You stated in your evidence yesterday, that it was a custom of the Gentoos to devote themselves as voluntary victims before the temple of Juggernaut, lying down to be crushed to death under the car of the idol; are those self-devotions peculiar to Juggernaut, or do they prevail at the other temples of the idols in India?—By no means, they do not.

Is not Juggernaut the resort of pilgrims, and persons of more than ordinary religious zeal, from all parts of Hindostan?—It certainly is.

And the Company, by means of persuasion, has interfered to check the practices which have been spoken of?—The only practice, to which I apprehend my answer applied, was that of devoting themselves under the car; that does not apply to all Hindoos who go there.

Did that interference ever produce any insurrection or disturbance?—It never did, to my knowledge; but I stated before, if coercion had been used, it might have led to more bloodshed than the devotion of the few who devoted themselves to destruction.

The persuasion of the Indian government did, in your opinion, prevent a great many of those zealots devoting themselves to death, who came there for the purpose?—According to my information, they have been less numerous since the Company got possession of Juggernaut than before.

Do you then suppose that peaceable interference, by persuasion, to correct any other of their religious prejudices would produce any ill consequences?—Much would depend upon the manner in which that persuasion was used, and the object of using it.

The question supposes that the interference was by persuasion merely, without any coercion, or any threat of coercion?—Such persuasion must have some purpose; therefore I cannot say, what might have been its effect, unless the purpose were avowed.

Suppose the purpose to be the prevention of any other of their sanguinary or criminal religious practices?—I conceive any direct interference, such as I have before stated with respect to Juggernaut, might be productive of the most mischievous consequences.

For what reason do you suppose that interference of the same kind, which has not produced mischievous consequences at Juggernaut, should produce mischievous consequences?—I have the same opinion on that question as I had on the question regarding Juggernaut, that persuasion may operate as a check and lessen the continuance of such practices.

Then you do not suppose that persuasion alone would produce any ill effects?—I do suppose that if that persuasion was constantly resorted to, it might excite dissatisfaction, and be productive of bad consequences, not dissimilar to those which I conceived might have arisen from any act of force at Juggernaut.

Is there any act of faith among them that they hold in greater veneration than that self-devotion at Juggernaut?—I am not sufficiently acquainted with all the articles of their faith, to be able to give any precise answer to that question.

Do not you suppose that that act of faith which induces a man to devote himself to a cruel and immediate death, must be at least as sacred in his estimate as any other?—[Directed to withdraw.]

Mr. *Lushington*, the chairman, here desired that the witness might withdraw, and stated to the Committee the serious doubts he entertained, whether the course they were pursuing was not defective in point of form. There were no allusions in the Petitions presented to the House, or in the propositions submitted by the noble lord upon the subject of the East India charter, either to the mythology of the Hindoos, or the policy of attempting their conversion from their ancient faith. There was certainly in the last Resolution, a plan suggested for a limited church establishment; but as this involved not a question of establment but of extent only, he submitted, without wishing to express any decided opinion, whether any questions framed with a view to a scheme for sending out missionaries, were regular in the present stage of the proceeding.

Mr. *Stephen* declared that he had been drawn reluctantly, but he hoped not irregularly, into the train of interrogations which he had pursued.

Mr. Thompson and Mr. Lockhart thought the last Resolution constituted a sufficient ground for the questions that had been put, relative to the practicability of extending and propagating Christianity in India.

Lord *Castlereagh* said, the Resolution was so framed as not to raise a question as to the course which should be followed in giving religious instruction to the people of India. It certainly was not intended to open the door to all persons who might wish to proceed there, to promulgate those doctrines, which they might conceive proper, nor yet to establish a prohibition against the admission of persons of that description. The control which would be necessary was left to the discretion of parliament, and he thought the question could be argued better on general principles, than in detail, as the latter mode would probably lead to a great deal of partial feeling on the subject, without producing any good.

Mr. *Wilberforce* spoke in favour of the course of examination pursued, as no mode was pointed out in the beginning, on which the examination of witnesses should particularly proceed. He conceived it was right to devise the best means for extending to the inhabitants of India, those blessings which we enjoyed in this life, and to instruct them in that religion, through which we expected to enjoy happiness in the next.

Sir *H. Montgomery* said, that the massacre of three or four hundred British soldiers in an Indian fortress, ought to act as a warning against interfering with the religion of the people of India.

Lord *Castlereagh* observed, that all which had been stated, seemed to be mere matter of opinion, and therefore, it was almost waste of time to ask the sentiments of individuals on this subject.

Mr. *Peter Moore* was against all interference with the religion of the Hindoos. Their prejudices on this subject, he said, were so strong, that such interference would lead to a general massacre. Talking on the subject when he was in India, to a well informed brahmin, he told him that any liberties might be taken with their properties, but that they ought to allow a poor brahmin to worship God in his own way. If gentlemen were determined to persist in this enquiry on religious subject, it ought to be referred to a secret committee.

The Witness was then recalled, and in

answer to the question said, 'I am not aware that it is an article of their faith.'

Upon what principle then is the sacrifice made?—They think they will be happier hereafter.

You stated, that you apprehended danger from a promiscuous and unrestrained intercourse of Europeans with the natives, because the Europeans might interfere with the religious prejudices and habits of the natives; did that answer relate to persons going to propagate Christianity only, or to mercantile adventurers also?—I think it would apply still more forcibly to persons endeavouring to promote Christianity, having so avowed their object, inasmuch as it might appear, in that case, to come from authority; and I believe it is now forty years since the wisdom of this House passed an Act, protecting the natives of India in the exercise of their laws and religion; having enjoyed that security for such a length of time, I think nothing can be more dangerous than any interference which shall cause them the alarm of any intention of a change.

You suppose that the objection applies in some degree also to mercantile adventurers?—In as far as they from ignorance of their prejudices might trespass upon them.

Would that danger be more from mercantile adventurers not in connection with the government, than from mercantile adventurers in connection with government?—I conceive it would be more, for one reason, that the servants of the Company are completely in the power of the government, and are well acquainted with all the regulations; and it is an understood injunction to all of them, to avoid any thing which shall in any shape trespass upon the prejudices of the natives.

Do you know of any insurrection, or any popular commotion, occasioned by their efforts to preach Christianity?—I have a recollection that the same year as I left Calcutta, one of the missionaries, whose name I forget, went near to a place called Chitpoore, at least so it was reported to me, for I was not present, who did endeavour to preach to them, but it ended in an affray; what were the consequences of it I really do not know.

Did you ever hear of the missionary Schwartz?—I have heard of him; nay, I have seen him.

Was he not for a great many years indefatigable in his efforts to convert the Gentoos to Christianity?—He was unremitting in his efforts to make Christians, but from what religion or persuasion I know not.

Did you ever hear of any revolution, or insurrection, or popular commotion, occasioned by the labours of Schwartz?—He was a man of great discretion, and I apprehend he only invited such as showed a disposition to attend him.

The Chairman was directed to report progress and ask leave to sit again.

Petitions respecting Peace.] Lord *Granville Leveson Gower* presented a Petition from the master manufacturers and others connected with the Staffordshire potteries, in favour of Peace. The present petitioners, though among those who had suffered most from the war, had not been seduced by the example of others, into any acts of violence. They had borne the evils brought upon them with exemplary patience, and they now approached that House with the greatest decorum, to state their grievances in a constitutional manner, and to ask for that which they conceived would afford them relief. He concurred with them in thinking peace very desirable, if a peace could be made consistent with the honour of the country, and consistent with good faith to our allies. He concurred with them in thinking the late glorious events on the continent afforded grounds for entertaining a more sanguine hope that such a peace might now be concluded than could reasonably be entertained for many years past. If the energies of those countries which were now disposed to rise in opposition to the tyranny of Buonaparté, were properly called forth—if the resources of those countries were properly used—if the allies abstained from directing their views to selfish and partial aggrandisement, evincing moderation in success, he thought when it was seen they were guided by such feelings, it might be expected the effect of their conduct, even on that country, which, from national pride, might be most disposed to support Buonaparté, would be such as to induce a sincere wish for peace. While he concurred with the petitioners in anxiously desiring the restoration of peace, he wished to state, that he did not agree with them that it would be expedient for that House to take the subject into consideration. Such a step, he feared, would rather retard than accelerate that which it was their object to accomplish. He did not say that at no period, and under no

circumstances, it would be proper for that House to interfere and offer its advice to the crown, on the subject of peace. If, for instance, ministers pursued measures of selfish aggrandisement, forgetful that the legitimate end of all war was peace, then he thought it would be the duty of the House to interfere by addressing the Prince Regent, and praying a change of ministers. On their part, however, he had not been able to see any indisposition to do every thing in their power to procure a safe and honourable peace, and therefore he could not concur in the prayer of the petitioners. He should move that it be brought up. An hon. gentleman had given notice of a motion on the subject of peace. When that motion was made, there would be an opportunity of amply discussing the object of the petitioners.

The Petition was brought up and read, and ordered to lie on the table.

Mr. *Whitbread* said, he held in his hand a Petition, the object and the language of which was similar to that which had just been presented by the noble lord. He moved that it be brought up. The Petition was then brought up and read. It was from certain inhabitants of Leeds and its neighbourhood, in favour of peace. The hon. gentleman then called the attention of the House to the very moderate and proper language in which the prayer of these as well as that of the last petitioners was expressed. He begged also to call the attention of the House to the general good conduct of these petitioners, under all the privations to which they had been exposed under all these sufferings, from this dismally long protracted war. The noble lord had spoken of the notice which he (Mr. Whitbread) had given, and which he had afterwards deferred till after the recess, without naming a day, but saying, he might yet feel it his duty to do so before the end of the session. He could not yet name the period when he would make that motion. During the present war he had brought forward some motions, and supported others, on the subject of peace. On this subject, he believed, he had carried his ideas further than most members of that House were disposed to go. He had, however, only made or supported such motions when he thought ministers did not do all they might to effectuate that which at all times ought to be their object, and now more than at any former period,—the legitimate end of war, an honourable and substantial peace. He was aware that if ever there was a period when greater difficulties would be opposed to the attainment of an honourable peace than at any other; it was that at which their table should be covered with petitions on this subject, and therefore he had always wished to guard against the House being placed in this situation, by taking it up before it came to this, that the executive government might not be cramped in its negociations by such a circumstance. At an early period of the session, he had taken an opportunity of expressing his sentiments on the subject of peace in an Amendment which he had thought it his duty to move to the Address. He had given notice of a motion, but the fortunate events which had taken place on the continent of Europe, fortunate if they were turned to a good account, which brought news better and better from day to day, while it increased our hopes, had added, by new connections, to the difficulties in the way of an immediate return to peace. These difficulties were, it was true, of a pleasing nature, but difficulties they were, and feeling this, he had thought it right to leave the executive unfettered in their operations by any parliamentary resolution. This he should still do till he saw reason to despair of the cause; to doubt of their keeping peace in view as their object, or till it appeared, having such object in view, they wanted sufficient energy to accomplish it. If he saw entertained by ministers any of those wild chimerical projects, which at various periods had been entertained by the English government in the course of the present contest, if he saw any countenance given to that Proclamation which had been put forth as issued by Louis the 18th, or if he saw any plan entertained for changing the government of France, then he should feel it his duty to bring the subject under the consideration of the House; then he should wish petitions to be presented from all parts of the country, and think every possible exertion ought to be made to arrest the career of an administration, whose intentions were bent on a project so desperate and chimerical. If he thought an attempt were made to push the present successes on the continent further than in wisdom they could be carried, then should he think an Address to the throne, praying a change of ministers, desirable, or a direct address, as at the close of the American war, praying

that negociations might be opened with the enemy. He thought with the noble lord, that the present prosperous state of things opened to us a prospect of obtaining an honourable peace, which could not have been looked for some months ago. This opportunity might be lost by ministers, yet still he felt that parliamentary interference at this time would be highly improper. On the present occasion, he should be glad to hear from the noble lord opposite a more distinct disavowal of that proclamation to which he had already alluded, than he had given on a former night. He should be glad for him to disavow, not only the proclamation but also a participation in the views of it. On this subject it was for the noble lord to be silent or not as he thought proper. If he were silent, his silence he should regard as extremely ominous. His disavowal of all participation in it would be most satisfactory, and might tend to effect that which was the prayer of the Petitions.

Lord *Castlereagh* said, that whenever the hon. gentleman thought proper to bring forward any motion, the object of which would be to impeach the past conduct of ministers, or to submit to the House any resolutions for the regulation of their conduct prospectively, it would then be his duty to explain the principles on which they had acted. With respect to the last topic touched upon by the hon. gentleman, he had already stated, that ministers were no party whatever to the proclamation which had been mentioned. They had, however, felt, that there was nothing in the tone of it to justify any interference on the part of government. It would have been discreditable to them to have fettered the will of the head of that unfortunate family to whom we had afforded an asylum, if it would not have appeared like converting that asylum into a prison. If the hon. gentleman thought ministers were parties to that paper, or in any way tied up to any particular line of conduct, he begged distinctly to state that this was not the fact. He would assure the hon. gentleman, that they were as free to pursue any line of conduct which might be called for by the interests of this country, as ever they had been at any former period. He admitted that before the proclamation appeared, he knew that such a paper was to come out, but any knowledge of it, as to approving of it or being in any way a party to it, he denied.

Mr. *Stephen* observed, that the hon. gentleman had represented the noble lord (lord G. L. Gower) to have said that this was a proper time for attempting to negociate a peace; and stated himself in that to agree with the noble lord. He had gone with the noble lord, in all he had said, which he could not have done had he made such a statement. He understood the noble lord to have said that circumstances justified sanguine hopes, and in this he cordially agreed, but he did not understand him to have said the present was a favourable opportunity for negociating a peace. Though he applauded the conduct of government with respect to the proclamation, he hesitated not to say of that paper, that as the act of the rightful heir to the throne of France, from his soul, and with all his heart and judgment, he highly approved of it. If a declaration so wise, so moderate, so benignant, could find its way to the eyes and ears of the French, it would be likely to produce the wished for effect, and tend to overthrow that military tyranny which was established in France, and as fatal to that country as inconsistent with the repose of Europe.

Lord *G. L. Gower* said, the hon. gentleman (Mr. Whitbread) had understood him rightly, and had not misrepresented him.

The Petition was ordered to lie on the table.

Mr. *Whitbread* then presented Petitions of a similar nature from Melbourn, Heanor, Matlock, Derby, Loughborough, and several other places, and observed, that he hoped this constitutional mode of expressing the wishes of the people would be always pursued, under every privation and suffering which they endured. When their prayers were expressed in moderate and respectful language, he was sure they would always meet in that House the readiest attention, the utmost consolation, and the best redress, that could be afforded them.

The Petitions were all laid on the table.

BREACH OF PRIVILEGE—MR. CREEVEY.] Mr. *M. A. Taylor* rose to give notice, that he would take an early opportunity of bringing forward a motion upon a subject strongly affecting the privileges of that House. He alluded to a trial which had taken place at Lancaster about ten days ago, the result of which, he thought, was such as to trench upon their privileges as members of parliament. He did not mean to find fault with the learned judge who

presided at the trial, well knowing his integrity and learning, but he was anxious that the House should take the subject into their consideration. When he had made himself more fully acquainted with the whole of the grounds of the proceeding, he would name a day for bringing forward his motion.

Mr. Tierney's Motion respecting the Sinking Fund.] Mr. *Tierney* said, his object in the motion which he was about to submit to the House, was to call their attention to the foundation on which the superstructure of the plan of his right hon. friend the Chancellor of the Exchequer was erected—whether the measure of his right hon. friend was a true and equitable construction of the Acts of the 26th, the 32d and the 42d of the King; and whether, without a breach of faith with the public creditor, he had the means of carrying into effect all the details of the Bill now before the House. Seldom, he believed, had any alteration of such importance as that proposed by the right hon. gentleman taken place without a previous examination before a committee. In 1802, it was true, there was no committee, but he should require no better passport to his motion than the inconvenience which had resulted from that act. He should move that a Select Committee be appointed to examine into the Acts of the 26th, 32d and 42d of his Majesty, and to report to the House, whether, due regard being had to the just claims of the holders of shares in the several public funded securities, purchased subject to the operations of the said Acts, any and what part of the monies placed to the account of the Commissioners for reducing the National Debt, can now be placed at the disposal of parliament. Upon the true construction of these Acts must undoubtedly depend the right of the Chancellor of the Exchequer to erect his superstructure. He should propose also that the Committee be composed of the present Attorney and Solicitor General, two hon. friends of his who had been formerly Attorney and Solicitor General, the governor and deputy governor of the Bank, and about twelve or 13 independent gentlemen, who might be taken from either side of the House. He wanted to see whether twenty-one gentlemen could be found to report that this was the true construction of these acts of parliament. He knew how easy it was to make dextrous speeches on the subject; but he did not believe that twenty-one gentlemen could be found who would report that what was proposed to be done could take place without a violation of public faith. He thought it would be difficult for the Chancellor of the Exchequer to resist this motion, unless he said he would make his alteration without any authentic document to warrant it. The documents on the subject lay in a small compass. The Act of 1786, so much to the credit of Mr. Pitt, vested one million in the hands of certain gentlemen till it should accumulate to the amount of three millions. The object of Mr. Pitt was to let that fund go on at compound interest, till the principal and interest together should have produced a sinking fund equal to four millions; that then the compound interest should cease, and the sums then be placed at the disposal of parliament. So stood things till 1792, when Mr. Pitt proposed a further measure to give relief to the public credit. The addition was this—that any savings from the reduced rate of interest should be placed in the hands of the commissioners, that all future loans should carry with them such an additional sum as would pay them off in the course of 45 years, and that one per cent. of each loan should be vested as a sinking fund in the hands of the commissioners. This went on till 1802, when a great deal of financial difficulty was experienced by lord Sidmouth, who had 870,000*l.* of new taxes to raise. He had to provide for a loan of thirty millions, and for fifty-six-millions, for which the income tax was mortgaged, but which, as the income tax could not exist after the peace, fell then to be provided for by him. The arrangement made was, that for this fifty-six millions no one per cent. should be issued. This was called a Consolidation Act; and it consisted of certain arrangements for the consolidation of the old and new debt, and the sinking fund. The question now was, whether, in the terms of that Act of 1802, the right hon. the Chancellor of the Exchequer could follow the course he had announced. By the plan of the right hon. gentleman, within four years from its commencement, the sinking fund would be less by seven millions than it would be under the operation of the law as it now stood.—A subject of discussion among them formerly was now set at rest by the Act; for it was then distinctly stated, that none of the operations of the right hon. gentleman

should take place, unless such a sinking fund was to remain as would reduce the debt in 45 years. He would ask, whether there was any thing in the law, as it now stood, which subjected the sinking fund to lose this seven millions in four years? He contended, that the right hon. gentleman had no right, in point of good faith, not using the words in an invidious sense, but as the shortest he could employ, to take this sum from the sinking fund. By the Act of 1802, the sums placed in the hands of the commissioners were directed to be appropriated and accumulated in the manner directed by the Acts for the redemption of the national debt, and to be applied either in the payment or redemption of annuities, until the whole sums charged on the public revenue of Great Britain should be completely redeemed and purchased. The Act was imperative, 'until all the debt then existing should be entirely redeemed.' It was impossible for any words to have a more definite meaning. Then came the expression on which the gentlemen on the other side relied, 'So as that the whole of the redeemable annuities shall be paid off within 45 years after the creation of the charges.' Generally speaking, that which came first was as important as that which came last. That the sums should be appropriated and accumulated were the words of the Act. To make out the meaning of the Act, he had looked into all the debates of the period. He knew that the printed debates were not absolutely to be relied on; but it was easy for any gentleman, who knew any thing of the subject, to trace the hand of a master, and to discover when a member had himself taken the trouble to give his sentiments to posterity. He could remember perfectly well, that among other advantages of his measure, lord Sidmouth stated that of the reducing the 5 and 4 per cents. to a lower rate of interest. But putting all recollections out of the case, he had looked into the Resolutions on which the Bill was brought in. There it is declared, that if the two sinking funds should be continually appropriated at compound interest to the redemption of the public debt, that object would be accomplished in 45 years. That was the first resolution, and it distinctly stated, that if the funds were allowed to go on accumulating at compound interest, the debt would be redeemed within 45 years. The last resolution stated the expediency of providing, that the sums to be consolidated should be continually applied at compound interest; and in this resolution there is no word of 45 years. The first resolution stated, that the effect of the measure would be the redemption of the debt in 45 years; but the last on which leave was given to bring in the Bill, said not a word about this; but expressly said, that the two sinking funds should accumulate at compound interest, till the whole of the debt should be redeemed. Would the right hon. gentleman say, with gravity of countenance, that it was the same thing to the public creditor, if his debt was paid off in 45 years, or if the sinking fund should accumulate at compound interest? In the different Reports which had been laid before the House on the effects of the sinking fund, one stated that the debt would be redeemed within 33 years, another not till 55 years, but all were bottomed on the fact that the fund was to accumulate at compound interest. This was the *sine qua non*. He had never heard this doubted before. He knew that in the discussion in 1802, some objections were stated by the right hon. gentleman to the measure, from the great inconvenience which would be felt when the sinking fund was too large. But if this could be cured by diffusing it over 45 years, where was the foundation for the argument which the right hon. gentleman then used? What did the calculation say which accompanied the plan? That under the Act the debt would not only be redeemed within 45 years, but if stocks were at 3 and a ¼, the surplus, which would be all between that and 5, would be applied at compound interest. All that he asked was that before proceeding on this Bill they should know what they were doing. It might be a very excellent device that no new taxes should be raised this year; but it was not so well if other persons were made to pay for this. The right hon. gentleman, because he found the words 45 years in the act of parliament, concluded he had a right to take 7 millions from the sinking fund. He did not believe that it was ever attempted before by mere eloquence to convince 650 gentlemen to take such a step without the sanction of a previous committee. The stocks were lower now than they were in 1802; and the unhappy stockholders were to be cut off from this benefit at a moment when they were losers. He had done enough for his own purpose, if he had shewn that there was a reasonable doubt as to the

construction of the Act. What objection could there be to the appointment of a committee, if he left to the ministry the nomination of the majority? If the opinion of the right hon. gentleman should turn out to be well founded, there could be no longer any dispute whether or not there was a breach of public faith. It would go down to posterity that the House selected some of the most respectable of their body, to see whether they could, without a breach of public faith, take this money from the sinking fund. But if they were at once to lay their hands on the seven millions, all that would appear would be the act of the legislature, by which three most material acts of parliament were altered, and public credit shaken, for no other reason but because it suited the Chancellor of the Exchequer. If the motion should be agreed to, there would be no longer any reason to talk of a breach of public faith; a committee up stairs would set the matter at rest. It was not unusual at present for gentlemen out of doors to say they did not understand finance; all they knew was, that it was very convenient not to be troubled for four years by the tax-gatherer. This was the strongest measure to which public credit was ever subjected. The right hon. gentleman had wrapped it up in such a variety of figures, that it was not easy to understand it. Did he doubt that the more discussion should take place on it, the more it would be understood? If he wished it to be understood, for his own character's sake, they ought to put on their Journals that they were not acting in haste. He knew that two years would not elapse before they would be called to account for this measure. The right hon. gentleman had gone on with very great dexterity: he had stated that no diminution of the sinking fund would take place for one year. According to his (Mr. T.'s) opinion, if more was taken out of a thing than was put in, the thing would be less. The right hon. gentleman, however, had conceived, by putting one quarter in advance, and by putting another sum behind, by a number of tricks which he would not call hocus pocus, to make it appear that for the first year no diminution of the sinking fund would take place. Let the right hon. gentleman try for a loan next year under the pressure of this plan, and then say that it had not produced its effect. All he wanted of the House was to implore them that they would not even do what was right without enquiry: He concluded by moving, "That a Select Committee be appointed to take into consideration the Acts passed for the more effectual reduction of the national debt, in the 26th, 32d and 42d years of his Majesty's reign, and to report to the House whether due regard being had to the just claims of the holders of shares in the several public funded securities, purchased subject to the operations of the said Acts, any and what part of the monies placed to the account of the commissioners for reducing the national debt, can now be placed at the disposal of parliament."

The *Chancellor of the Exchequer* contended, that on no former occasion of a similar nature, although very considerable changes had been made in the financial arrangements of the country, had any committee been previously appointed to investigate the details of the subject. In 1798, in 1799, and in 1800, when provisions were made of a very different nature from those usually enacted; and when a large part of the debt was transferred from one security to another, no previous enquiry by a committee was deemed necessary. On those occasions the debt incurred was not accompanied by any provision, but the whole burden of it was thrown on futurity, yet no previous committee was demanded. The question at present before parliament must be decided by a reference either to the words of the act of parliament, or to the terms of the contracts for the respective loans. It was notorious that no such engagements as those described by the right hon. gentleman formed any part of the contracts for any of the loans. No one had ever, in any former instance, suggested the appointment of a committee.—[Mr. Tierney said, across the table, that he had on a former occasion done so.]—He had forgotten; the right hon. gentleman had certainly moved for a committee. The right hon. gentleman now followed his own precedent; and he hoped the House would follow their precedent on the occasion alluded to, by negativing the right hon. gentleman's proposition. He would now read an extract from an official paper of 1807, shewing, that the marquis of Lansdowne and lord Grenville recognised, at that period, the principle which he had recently maintained, with respect to the simple necessity of redeeming the various parts of the debt within 45 years after their contraction. Mr. Pitt had some years before maintained the same doctrine,

His plan would redeem the debt in a less time than originally proposed, and that without any injury to the public creditor. The principle on which it was founded, had never before been controverted—it had never been said that it was a breach of public faith. The Bill in progress through the House was actually a guarantee to the public creditor, that the redemption of the debt should not extend beyond 45 years. It was curious to observe the difference made by some hon. gentlemen between principle and practice. Now, was breach of faith so loose and undefinable a thing, that it depended on times and circumstances? He contended that the plan which he had submitted to parliament involved no breach of faith; but he would not consent to the appointment of a committee, for the purpose of endeavouring to discover whether by possibility any doubts could be suggested on points, respecting which parliament had already unequivocally decided. Adverting to the plan detailed recently by an hon. friend of his (Mr. Huskisson), namely, that the loan of the present year should be charged on the sinking fund; making good the deficiency thus occasioned in the sinking fund from the war taxes, he observed, that his hon. friend went out of his way to recommend a breach of faith (as the right hon. gentleman would, he presumed, term it,) but a breach of faith unaccompanied with any compensating advantages. If the right hon. gentleman's position were good for any thing, it must establish the fact that the public creditor would be placed in a worse situation by the new measure than he would have been in had no alteration been proposed. But this was not the case. To prove this he entered into a variety of details, and insisted on the superiority of advantage which the immediate grant of 800,000*l.* would give the public creditor over the remote and contingent benefit of which the existing system held out to him the expectation. By the enactments of the year 1802, the redemption of the debt might be protracted to the year 1835. By the proposed measure it must be effected by the year 1830. The principle of his plan had received the sanction of Mr. Pitt, the illustrious author of the sinking fund; it had received the sanction of lord Henry Petty and lord Grenville; authorities inferior only to that of Mr. Pitt. He concluded by repeating his dissent from the motion; declaring that he could not sit down without congratulating the House on having already made provision for four years of war.

Sir *J. Newport* argued, that, according to the principles of justice, the fruit of the accumulation of the sinking fund, by compound interest, was applicable to the benefit of the public creditor, for whose security the fund was created, and not to the purposes of the Chancellor of the Exchequer, or any other minister who might be disposed to touch that sacred property. Indeed, the proposition of the right hon. gentleman was quite monstrous. But what was to be thought of his plan to pay the public creditor, but a comparatively small sum truly for a few years, while the remainder of the debt, by increased payments, was to be discharged within 45 years? If a creditor who had covenanted to pay 20,000*l.* at the rate of 1,000*l.* a year, should afterwards only pay 500*l.* a year for the first ten years, and 2,000*l.* a year for the remaining ten, he would discharge his debt to be sure, but he would not execute his covenant—he would not keep his faith, and the public faith ought to be literally and most faithfully kept. That faith, however, the right hon. gentleman proposed to violate—he did not mean intentionally, but such unquestionably was the general interpretation of his plan among those out of doors, at least among several respectable individuals connected with the public securities, whose opinion he had had an opportunity of collecting. Such an interpretation then prevailing, not only out of doors, but in the minds of many members of that House, he would appeal to the consideration of those who thought with the right hon. gentleman, whether an investigation before the proposed committee was not desirable, in order to ascertain, whether the interpretation he had stated was correct—whether the doubts and apprehensions which had gone abroad upon the subject were well-founded. The existence of such doubts was alone a sufficient reason for the appointment of the committee, whose report would no doubt be satisfactory to all parties.

Mr. *Rose* observed, that the gentlemen on the other side appeared to think that the system of the sinking fund had never been meddled with by parliament—that it was quite inviolable; whereas, in fact, liberties were taken with that system in the years 1798, 1799 and 1800, no one per cent. having been set apart, or sinking

fund created upon the loans of the several years. Yet upon these occasions no breach of public faith was alleged or insinuated, nor was any outcry raised of a departure from the principle of the sinking fund. The system of the sinking fund was also broken in upon in the years of 1802 and 1807. Yet no such objections were urged in either case as were now put forward. But as to the general merits of the plan of his right hon. friend, the only question, in his judgment, was, whether a certain sum should be taken for the public service from the fund for redeeming the public debt now or seven years hence—or at what time it would be proper to make this deduction, so as to guard against the advance of that fund to an inconvenient size? The only question then was as to time, and that such was the view of lords Grenville and H. Petty, was evident from the plan which they submitted to the consideration of parliament; and he concurred with his right hon. friend as to the time he selected for making the proposed deduction from this fund, while he approved of the general merits of his plan, because while it would operate to discharge the public debt sooner, and in a more gradual manner than the existing system, the country would have to pay less taxes.

Mr. *Bankes*, while he agreed that there was nothing in the existing law to prevent the proposed arrangement, strongly disapproved of that arrangement, which he regarded as a direct infraction of the public faith. He thought it therefore highly impolitic, and in no degree to be excused by any public necessity. For although an advocate for economy, both on a small and a large scale, because he thought that economy indispensible to the maintenance of our financial system, yet he deemed our means amply sufficient to provide for our current expences without invading a fund set apart for the security of the public creditor—without violating that which ought to be held sacred. From such a course of proceeding, he apprehended the most serious evil. Indeed he had no doubt that if the plan of his right hon. friend the Chancellor of the Exchequer, were adopted, the consequences would be most sensibly felt by the country in the loans to be contracted for, particularly if the war should continue for many years. That such a plan must injure public credit, appeared to him quite obvious. Yet he was assured by some gentlemen in that House connected with the public funds, that this plan would not produce the consequences he apprehended;—he should be glad to find their assurances justified by the event, as he had no doubt that the plan would be adopted. With respect to the Act of 1802, it had been stated that at that period it was not supposed the funds would have been reduced so low as they were at present, but he really should not be surprised, if the war continued three or four years longer, to see the 3 per cents. as low as 50. He was among those who opposed the Act of 1802, and one of the evils which he expressly apprehended from its adoption, had now occurred in the proposition of another measure infringing the public faith, and after the passing of this measure, what, he would ask, was to prevent any minister from coming forward again in four or five years to strip the sinking fund, asserting that it would be sufficient to provide for the reduction of any debt within 45 years from the period of its creation, which he (Mr. B.) contended was not a correct construction of the Act to which it applied? Here the hon. gentleman, after ridiculing the idea of any alarm as to the fund for redeeming the public debt, growing to an inconvenient size, or as to the too sudden extinction of that debt, particularly at a period when it was so materially increased, proceeded to analyze the tables of calculation upon which the Chancellor of the Exchequer's plan was founded, which tables he asserted to contain much fallacy. From one of these tables he collected that the discharge of the public debt was to be accelerated by appropriating the one per cent. usually set apart from each loan, not to the liquidation of such loan, as heretofore, but to create a sinking fund for the discharge of the prior debt. Then his right honourable friend's object would be best promoted by raising large loans.—The hon. gentleman concluded by strongly recommending the adoption of the motion.

The *Chancellor of the Exchequer*, in explanation, maintained that his hon. friend's interpretation of the table referred to, was quite incorrect.

Mr. *J. P. Grant* urged, that it was material in comparing the acts of parliament, not to consider the contract implied in the mere words, but what would be sufficient to justify them in the practice. He urged that, by withdrawing the purchases usually made, the value of the stock was lessened, and the contract with the public creditor infringed on. In 1802 the alteration made

in the sinking fund principle promised a future advantage, and this was the argument of the Chancellor of the Exchequer of that time in favour of his measure. This was not the case with the present plan. He would take a future opportunity of stating his opinions more fully, as he doubted the efficacy of the sinking fund, which, however, was no reason for departing from public faith.

Mr. *Long* professed the same attachment and veneration for the good faith of the public as the hon. gentleman who spoke last—but no violation was attempted by the measure now under consideration—Good policy as well as strict justice required that every pledge given to the public creditor should be scrupulously maintained, but all the attempts to prove this to be a breach of faith, were futile in the extreme, and all the ingenuity and industry that had been employed, had failed to impress upon the mind of one rational man either in the city of London, or in any part of the kingdom, any alarm for the public credit of the nation.—He did not understand the view which some persons took of this subject in supposing the public creditor alone was interested in the sinking fund acts; he thought the public quite as much interested in them upon the fair and enlarged view of the subject. Would the public creditor have been satisfied to have stood upon those Acts alone? Certainly not. The public had often interposed in his favour, and given him boons to which he had no positive right. He alluded to the land tax redemption, and the war taxes; by the first measure, twenty-four millions of debt had been paid off, and by the last, three hundred millions had been raised, which would otherwise have increased our debt, and in so doing, materially affected the interest of the public creditor. He was surprised at the proposition of his right hon. friend (Mr. Tierney.) It was absurd to talk of a committee to construe three acts of parliament, which every body was capable of understanding; he considered the motion therefore as meaning delay, and nothing else. If he had any better plan to propose, he wished he would bring it forward, he had long considered the subject, and if he proposed nothing, it would only prove that he had found it much easier to object than to suggest. In 1807, many plans of finance were before the House, now, none but that of the Chancellor of the Exchequer, for that of his hon. friend (Mr. Huskisson) he trusted was abandoned. That hon. gentleman wished he could intrap his right hon. friend into a plan, but he was too wary to commit himself. If, however, these able financiers satisfied themselves with condemning what was proposed, the House would be convinced with him that they had nothing more advantageous to offer, and with that conviction he should support the proposition of the Chancellor of the Exchequer, and vote against the motion for delay.

Mr. *Huskisson* could not think the question before the House was one on which no doubt could exist, and he should have thought the Chancellor of the Exchequer himself would not have been of this opinion, as he must have had some doubts in 1809 on his own mind, when he declared the sinking fund could not be touched without injustice to the public creditor. He was sure the Act of 1802 had the sanction of Mr. Pitt. That Act, he contended, in no way infringed the Act of 1792. It was said that compound interest was not mentioned in the Act of the year 1802; on this much stress had been laid. It was true the words "compound interest" did not appear in that Act, but from the provisions it contained, some of which he quoted, it was past all doubt that compound interest was contemplated when that measure was framed. If any hon. gentleman could be authorised by the House to draw up a statement of what was meant by the Act of 1792, and if the Chancellor of the Exchequer would put down in writing what he conceived his new plan to be, then a fair case might be made out, on which a legal decision could be had; and if that decision declared the present measure to be no infringement of that Act, he could then only say he had misconceived it. At present, he thought it went to violate that Act, and the principle of the plan once admitted, he thought the day was not very distant when that principle would be pushed to its full extent, the measure of the right hon. gentleman thrown overboard, and the sinking fund done away altogether. At present he would not go into the general policy of the plan, but he should vote for the committee.

The *Attorney General* rose to give merely a legal opinion as to the effect of the present measure on the three acts of parliament which had so often been referred to. Looking at the letter, and at the spirit of those Acts, he could not feel any difficulty like his hon. friend, (who, though hostile

to the principle of the plan, was obliged to admit that it did not violate the law,) in arriving at this conclusion, that it did not infringe them. He could not see the smallest violation of good faith in what was proposed to be done. The plan of 1786 was to pay off the principal of the public debt in 45 years. If they did this, whatever debt they contracted for the present time, they acted fairly by posterity, because it was to be remembered, that a great debt had been thrown on the present generation, by their ancestors. While they paid off the interest of the debts contracted in former times, and provided for the liquidation of those contracted now, they did all posterity had a right to expect. Adhering, as they did, while they adopted this plan, to the principle of paying off each debt contracted within the period of 45 years, they were guilty of no infraction of the original plan.

Mr. *Canning* rose, not to join in this debate, but simply to state why he should vote for the committee. If the plan were perfectly consistent with good faith, then he would not dispute the policy of making the proposed remission of the public burdens at the present period. He doubted the possibility of this plan being adopted consistent with what he thought good faith between the public creditor and the state. He could not go the full extent of the view taken of the subject by his hon. friend (Mr. Huskisson), but he thought the House ought not to adopt this proceeding without seeking information from a committee, and adding one to that great body of reports which had been laid before the House on the subject of this law of the sinking fund. He did not agree with his hon. friend, that a legal opinion was sufficient to guide them on this occasion, and without any disrespect to the Attorney General he must say his doubts had not been removed by the opinion which he had delivered. His definition of the law went to make that expectation in the public creditor which had hitherto been confidence. For himself, he could not pretend to give an interpretation of the Acts in question; but up to the present debates, his impression had been, that the statute of 1792 had more permanency than an ordinary statute. He understood that the public debt was to be paid in 45 years, from the period at which it was contracted, but he did not understand that its payment was to be protracted to the full extent of 45 years. This, however, seemed to be the opinion of some gentlemen, who further appeared disposed to make a provision for securing the interference of parliament in the event of the sinking fund accumulating too fast. Knowing the anxiety of Mr. Pitt to guard against the nation being overwhelmed by the public debt, till these debates, he was not prepared to see gentlemen alarmed at the accumulation of the means of paying it off, lest some fatal morning they should awake, and find themselves, poor deluded and defenceless creatures, without a debt to their backs! The right hon. gentleman proceeded strongly to urge the advantages which might be derived from referring the subject to a committee, and concluded by observing, that though it might be proper in the present instance to trench on the sinking fund, it must be allowed this ought not to be done indefinitely, and therefore it was expedient that the point to which the principle might be carried should be distinctly marked.

Lord *Castlereagh* appealed to the House if ever a question like this could, with any regard to common sense, or to that duty which they owed to themselves, be referred to a committee. If the right hon. gentleman had thought the tables laid before the House were inaccurate, or in any respect imperfect, then he could clearly understand why he called for a committee. In no other instance, with the exception of that when the right hon. gentleman brought forward such a proposition, had the House degraded itself so far as to think of giving its own act to a select committee to explain. The instance to which he alluded was the only one in which they had deliberated on such a proposition, even to meet it with a negative; and he would lay it down as a principle not to be controverted, that were parliament to act in the manner recommended, its conduct would be degrading to itself and injurious to the country. The right hon. gentleman had said he was not competent to interpret the Acts which had been called in question: he wished for a committee to enlighten him on the subject. Now he should like to know who were to form the committee, which was thus called for, to instruct the feeble and innocent mind of the right hon. gentleman. The House must feel that more management was exercised to gain a convenient vote on this occasion, than was usually to be looked for. He had been surprised at the conduct of his hon. friend, who wishing

merely to have a legal opinion on the subject, had gone quite out of his way to combat the general policy of the measure. It appeared that those who opposed it were not prepared openly to call upon the House at once to reject it, but were happy to find a collateral ground of objection under which they could shelter themselves while raising a specious cry in favour of enquiry, in the hope of being able, by such covert means, to throw out the great state measure of his right hon. friend. The resolutions which had been read that night by the hon. gentleman, he could state, had been drawn up by the hand of Mr. Pitt. In the inference therefore which he had drawn, he had put himself in conflict with Mr. Pitt, and had thus opposed himself to an authority great on all subjects, but on this subject the most sacred authority that could be referred to. Mr. Pitt had approved of the Act of 1802. He would read the sentiments of Mr. Pitt on that Act. They were expressed in these words: "The sinking fund, by the present plan, is perfectly consistent with the original regulations made with respect to that fund, all the pledges of public faith are preserved, and the fund is made more than ever conducive to its object." The Act of 1802 pledged the nation to redeem the debt in 45 years, but did not go to place beyond the reach of parliament, the power of enacting such regulations, as it might be desirable to adopt (still keeping this principle in view) for the public good. The House, he trusted, would not be shaken in a measure which promised to be highly beneficial, not only to this country, but to the world at large, by the arguments of those who were glad to shelter themselves under a collateral motion, instead of openly meeting the great question. He trusted the House would without hesitation, and with the firmness which the times required, support the plan of his right hon. friend, which would not infringe upon the good faith which ought to be preserved inviolate between the public creditor and the state, but would make the enemy feel and dread the power and mighty resources of this country.

Mr. *Tierney* rose to reply. The object of his committee was to examine, whether, consistently with public faith, the measure of his right hon. friend could be adopted. For this purpose the Attorney and Solicitor General, and the governors of the Bank, would be members. But it might be said that the Attorney General had given his opinion. But he would appeal from Philip drunk to Philip sober, from a lawyer ignorant of the Acts to one with them before him. The Attorney General could not have read the Acts; there was nothing in the Act of 1786 about 45 years. He must have dreamed. In his committee the Bank directors would consult with the lawyers, and thus a judgment as to the breach of public faith might be formed. If he were left in a minority, he should no longer entertain any doubt on the question of public faith, but leave the House with the full conviction, that parliament had not preserved that faith with the public creditor, which it was bound to do; nor would any high and sounding words adopted, or any affected passion which the noble lord might assume for the purpose of eliciting cries of hear! hear! from those around him, make any change in his sentiments. They were going to pay the Chancellor of the Exchequer a higher compliment than ever they paid Mr. Pitt in the zenith of his power, for they were going to put their hands into the pockets of the stockholders, whose interests, he asserted, were violated on this occasion.

The House divided—For the motion 59; Against it 152; Majority 93.

HOUSE OF LORDS.

Monday, April 5.

MINUTES OF EVIDENCE TAKEN BEFORE THE LORDS COMMITTEES ON THE EAST INDIA COMPANY'S AFFAIRS.] This day the Committee of the House of Lords appointed to take into consideration so much of the Speech of his royal highness the Prince Regent as relates to the Charter of the East India Company, and to the providing effectually for the future government of the provinces of India; and to report to the House; and to whom were referred the Petition of the united Company of merchants of England trading to the East Indies, respecting their charter; and also the several petitions presented against and in favour of the renewal of the said charter—met. The earl of Buckinghamshire in the chair.

The Counsel are ordered to be called in; and Mr. Adam, Mr. Randle Jackson, Mr. Impey, and Mr. Grant, appearing as counsel on behalf of the East India Company, the Petition of the Company is read; and Mr. Impey is heard to open the allegations of the said petition.

Then WARREN HASTINGS, esq. is called in; and, having been sworn, is examined as follows:

(By Counsel.)—Are you enabled from your long residence in India, and your experience and observation of the manners, habits, and dispositions of the natives of that country, to give the Committee any general description of their national character as contrasted with that of the English?—In answering to this question, it will not be easy to divest my mind of certain circumstances connected with it, which do not relevantly appertain to the question itself. Great pains have been taken to inculcate into the public mind an opinion that the native Indians are in a state of complete moral turpitude, and live in the constant and unrestrained commission of every vice and crime that can disgrace human nature. I affirm, by the oath that I have taken, that this description of them is untrue, and wholly unfounded. What I have to add must be taken as my belief, but a belief impressed by a longer and more intimate acquaintance with the people than has fallen to the lot of many of my countrymen. In speaking of the people, it is necessary to distinguish the Hindoos, who form the great portion of the population, from the Mahometans, who are intermixed with them, but generally live in separate communities; the former are gentle, benevolent, more susceptible of gratitude for kindness shewn them, than prompted to vengeance for wrongs inflicted, and as exempt from the worst propensities of human passion as any people upon the face of the earth; they are faithful and affectionate in service, and submissive to legal authority; they are superstitious it is true, but they do not think ill of us for not thinking as they do. Gross as the modes of their worship are, the precepts of their religion are wonderfully fitted to promote the best ends of society, its peace and good order; and even from their theology, arguments may be drawn to illustrate and support the most refined mysteries of our own. The intolerant and persecuting spirit of Mahometanism has spared them through a course of three centuries, and even bound them into union with its own professors, without any ill consequences that I have ever heard resulting from it. I verily believe that both classes would unite in resisting any attempts, should any be made, to subvert the religion of either. I have endeavoured, and I hope successfully, to guard my mind against any undue partiality which might arise in it from the remembrance of the testimonials which were transmitted from both classes of the people in my favour, and certainly in your lordships' recollection; but I may, appearing as I do as a sworn witness, appeal for the confirmation of the truth of the evidence which I have delivered to the fact, the first perhaps in the history of the world, of a whole people offering themselves in a direct and almost personal avowal to their new and actual ruler, the voluntary advocates of a former governor, then lying and known by them to lie under a criminal prosecution before the sovereign tribunal of the parent state. This effort of theirs, how unworthy soever of it I may have been, affords as strong a proof as can be afforded, or conceived, that they themselves possess in a very high degree the principles of gratitude, affection, honour, and justice. My lords, I cannot remember all that I wished to say upon this subject. I have omitted to speak of their faults; faults they certainly have, they are the lot of humanity; theirs are such only as can be supposed to subsist in the presence of so many opposite qualities, but among these I have omitted to mention one, which is not a general, but an universal trait of their character; their temperance is demonstrated in the simplicity of their food, and their total abstinence from spirituous liquors and other substances of intoxication. I think the question required that I should speak to the character of my own countrymen, as compared, or contrasted with them; these, my lords, are almost in every instance the reverse of the other. It is impossible that the English character should coalesce with the natives in the same state of society. In the higher class of British subjects this effect may not be deduced; but if Europeans are admitted generally to go into the country to mix with the inhabitants, and to form establishments amongst them, the consequence must certainly and inevitably prove the ruin of the country; they will insult, plunder, and oppress the natives because they can do it with impunity; no laws that can be enacted from hence can at such a distance, and under the cover of so many circumstances as will occur in that country, prevent them from committing acts of licentiousness of every kind with impunity; the arrogance and boldness of their spirit will encourage them

too far to do every thing that their own interests may prompt them to. In India, at a distance from the capital settlements, the name of an Englishman is his protection, and a sanction for many offences which he would not dare to commit at home. I must add what I have already mentioned in another place, and which perhaps may not appear to deserve the weight which I feel it possesses in my own mind; there is a tacit idea prevails universally in the minds of all British subjects, not only in India, but I believe with a feebler or deeper impression even at home, the idea of common participation which every British subject possesses in the sovereignty of the Company:—"Since we became masters of the country:" "*our* native subjects," and other phrases of a similar import constantly occur in our books, in our writings, as well as in the language of familiar conversation. These ideas in the lower orders of British subjects rise to the height of despotism, and are liable to all the excesses of despotism, whenever the prerogatives annexed to it can be asserted with impunity; with such a disparity, the aggrieved Indian loses his confidence; he is timid by nature, and not easily provoked to resistance where danger may be apprehended; but though this is a part of their individual character, cases may be supposed in which the provocation of a general grievance may excite the whole people, or detached numbers of them, to all the ferocities of insurrection; this however is not very liable to happen, and I hope never will. Very great and almost insuperable will be the difficulties of obtaining redress should the native Indian be under a necessity of appealing for it to the courts of justice established in the country; these will always be at a great distance from the complainant, because he cannot afford the loss of a day's labour, which procures him his daily subsistence, in appealing to them. The same difficulties will occur in collecting witnesses, and procuring their attendance; and these combined will be more likely to prevent his complaining at all, than a too quick sense of injury to give occasion for his complaining without sufficient reason. I had much more to say upon this subject, but I should depart I believe from the general tenor of the question, and I should suppose that I shall be led to it in my subsequent examination.

During the time that you were in India was it found necessary to lay a very strict restraint upon the intercourse of the natives of this country with those of India, to prevent the oppression of the natives on their part?—A restraint was laid upon them, but I do not think so strict as ought to have been done; nor had the causes for it existed in the same degree that I believe have happened since, and of which there were strong symptoms at that time.

If a free trade were authorised by law between this country and British India, and Englishmen were allowed to fix their residence in any part of our Indian possessions according to their pleasure, and without restraint, is it your opinion that any ill consequences from such permission would ensue to the tranquillity and happiness of the natives of India under the government of the Company?—I answer confidently, that it would prove ruinous to the country, and very injurious to the peace of the inhabitants.

Are you of opinion that ill consequences would follow from such permission to the stability of the British empire in India?—I am indeed.

If the free traders were only permitted to resort to the ports in India without penetrating into the country, do you think any such consequences to a considerable degree would follow, either to the peace of the natives, or the stability of the British government in India?—To the two last questions I have answered directly, without assigning any reason. I reply in the same affirmative to this; but I must add, that this was not always my opinion; I did think, that if the residence of free traders were confined to the principal settlements or to certain boundaries around them, restrictions might be devised to prevent any ill consequences from arising from them, but this opinion was formed on the conception, that the authority of the Company underwent no change, and that all British subjects were virtually as well as legally amenable to it; but if a law were to be enacted in opposition to the sense and remonstrance of the Company, permitting all British subjects indiscriminately to go to India, to carry on a trade there, though confined legally to the principal settlements, still I think the same consequences would follow; by agencies, by permission, by connivance, by some way or other, they would find their way into the country, because the permission granted to them was not a permission of the ruling power of the Company as formerly, but of a superior authority; it would

render them in a degree independent, and encourage them to a resistance of the law, and to every means in their power of evading it, and many means they would possess. The Company might be allowed, I believe they are by the tenor of their present charter, the power of sending to England persons who misbehave; but many ways might be contrived by such persons to elude the authority of the Company in this instance, by making themselves suitors or defendants, or procuring means to be summoned as witnesses, or other contrivances that should put them under the protection and authority of the supreme court. According to the terms of the present question it does not appear that there shall be any exception; but if licences are to be granted by the present charter, there is no power in the Company or the government to recall those licences, and they may appeal to them against the authority of the government. I mean by all I have said, to impress upon your lordships a distinction which prevails in my mind between a liberty allowed to individuals by the actual authority of the government there, and a licence granted from a superior authority; the first may be revoked, and the government will hold a perpetual controul over them, which they will not possess in the other case. My lords, I am a very old servant of the Company, and may naturally be supposed to have my mind biassed by that circumstance; but I possess as strong a proof as I believe it is possible to give of the truth of the opinion which I have delivered 20 years ago: the same opinion was delivered in an address to the chairman or chairmen of the court of directors, at the time when the present charter was under deliberation, in which I attempted to impress upon the minds of the court of directors, for whose perusal it was ultimately intended, the necessity of guarding their interests against the practice, which was then beginning to prevail, of Europeans, licensed or unlicensed, forming establishments in the country belonging to the Company's dominion, and urging, as I recollect, the propriety and necessity of providing against such mischiefs, as I apprehended would result from them, in the charter then under consideration. I have no copy of the letter, and can only advert with certainty to the identity of it, and to its general substance. I have reason in my recollection to believe that it was approved by the court of directors; that it was shewn to and approved by the gentleman who then presided over the board of commissioners appointed for the affairs of India; and I have a pleasure in believing, and almost knowing, that he approved it. A clause was inserted in the act of parliament, and in the charter constituted under the sanction of it, by which it was enacted, that no British subjects, not being in the service of the Company, should be allowed to reside in India for the purpose of carrying on their trade there, but within the precincts of their principal settlements, except such persons as had obtained licences from the Company, or from the governor-general or governor; this exception appeared to me to defeat every purpose of the prohibitory clause, since the persons so patronized would go out armed with powers that no others possessed, and which none would dare to resist, under the idea that in opposing them they opposed the will of their patrons, and that the persons so favoured would be capable of doing more mischief in the country than if all Englishmen were indiscriminately let loose upon it. I had done all that was within my slender means to prevent the evil; I waited till another occasion occurred to bring it again before the notice of the court of directors, as an incidental subject of another letter; this letter was dated the 12th March 1802. On the 28th of February 1812, I again indirectly addressed the court of directors by the like official channel of the present chairman, in which I reiterated the subject, remonstrating particularly against the exception made from the general prohibition, and accompanied my remonstrance with a series of restrictions which I thought might prevent the occurrence of the same evils; those restrictions I have alluded to in a former part of my evidence, but repeat that I think neither they, nor any that might be added to them, would now be of any avail. I have humbly mentioned this circumstance, as a proof that this is no novel opinion of mine, nor assumed for the present occasion, but an opinion delivered through a series of attempts in the course of twenty years, in which I have uniformly held it. The evils which I portended from the licentious intercourse of British subjects in India, were then mentioned by me as deductions in argument. Your lordships will have opportunities of knowing from more recent evidence than mine, whether the evils which I have thus portended have actually come

to pass or not; and the records of the Company will prove or disprove the same. If it shall appear from those evidences that such consequences have happened, what I had before declared can no longer be considered as argumentative, but as predictive, and will afford an irrefragable proof that such effects must follow from such premises.

Are you then of opinion, that in the event of a free trade, if laws or regulations were made in this country to confine the residence of the free traders or their agents to our principal settlements, it would be extremely difficult practically to enforce such regulations, if not impossible?—I think difficult, and I believe impossible.

If there were any considerable increase in the intercourse of Englishmen with the natives of India, are you of opinion that it would have an ill effect upon the opinions of the natives of India relative to the character of Englishmen?—Most undoubtedly they would naturally draw their opinion of the character of the country from the conduct of those with whom they were immediately conversant, and every act of injustice, for which they could receive no redress, would dwell upon their minds, with a strong prejudice against the government itself, supposing it to permit them.

Are you of opinion that such an idea so generated in the minds of the natives might eventually be prejudicial to the stability of the British government in India?—A strong armed force may be sufficient to suppress, and keep down any spirit of revolt arising in the minds of the people. We must always keep up a strong standing force in that country; but so much depends for the peace of the country and the stability of the government upon the attachment of the people, that it would be very unsafe and impolitic to trust to that security only. Our government is not to expect that it shall always remain in a state of peace with its neighbours: I am not sure that we should wish to remain so: but in a general disaffection of the people, a state of external warfare would be liable to internal danger; in short, I do not believe that any nation upon earth is safe from the worst effects which may follow from a general discontent of its people.

In the event of a free trade, if any acts of violence were committed against the persons or families of the natives, either by the free traders, their agents, or their ships' crews at any great distance from the presidencies, does it not appear to you extremely difficult, if not impossible, for the natives to obtain justice against those violences?—I believe I have said so, if I did, I repeat it.

Are you of opinion that in the event of a free trade between this country and British India, the demand for British manufactures would be increased in any material degree in that country?—I believe not, I do not know why it should; it may cause a greater influx of British goods into that country, but it cannot increase the wants of the people to possess them.

Are the mass of the population in that country in any condition, if they wished it, to purchase British manufactures?—British manufactures, like all other articles of commerce, must be such, as will minister either to the wants or to the luxuries of the people. I must confine my observations to the countries that are immediately under the dominion of the Company, and which I best know. The poor of India, who are the people, have no wants; unless the scanty rags of cloth which they wear, their huts and simple food, may be considered as such, and those they have upon the ground which they tread upon. The next class above the poor, are the wealthy Hindoos, occupying the rank of zemindars, and the officers of the collections; those men are as simple in their habits almost as the poor; they want nothing that our ships can furnish them. That class of the inhabitants who formerly might have been the purchasers of European merchandize, such as articles of show, furniture, and dress, have now scarcely any existence, I mean the Mahometans; few now remain besides the pensioners that were left upon the bounty of the government; few of whom I should suppose now survive. What articles of ours could find their way to the courts that are independent of our authority, I know not; the knowledge of those will depend upon more recent information than mine.

When you were in India, did the more opulent people in that country seem to acquire any taste for European habits, or manufactures, by intercourse with Europeans?—Certainly, some did: this effect too, I must confine to the Mussulmen, and chiefly to the Mussulmen at the courts of the different princes in the country; I wish to be understood to mean the articles themselves, and not the modes of using them, except the articles of furniture or trinkets of different kinds.

Do the domestics of Englishmen in India appear to acquire any of the habits or manners of their masters?—By domestics, I suppose to be meant the native domestics; they remain the same in all the habits of life as they were before they entered into the English service. The domestics in India are not inmates of the same family with their masters as in England; they reside at home in their own families, and only attend in the day time, or occasionally when they are required to attend, but are still attached to their own homes.

During the time that you were in India, did the market for European commodities appear to you to be generally adequate to the demand for those commodities in India?—I have always considered them to be so.

Upon the whole, are you of opinion that any considerable increase in any way of the intercourse between the natives of this country and the natives of British India might be dangerous both to the inhabitants there, and to the government there?—I believe so, I feel an assured belief that it would be so.

Examined by the Committee.

In speaking of the probability of a demand for British and European articles in India, did you mean to state that no countries adjoining India are likely to make any further demands for British and European articles?—No; it was always my wish, and as far as my power extended, it was my endeavour, to explore the possibilities of extending our commercial intercourse with other countries, both bordering upon India, and remote from it, but within our commercial reach for that purpose. I at a very early period seized an incidental occasion which was offered to me, of introducing a communication with the countries of Bootân and Thibet, and had at one time succeeded, or thought I had succeeded, so far as to afford an opening to a remote intercourse with China; the death of the Lama of Thibet, whom I had found means to employ as an agent of this design, with other circumstances not necessary to be mentioned here, defeated that purpose, and all my hopes connected with it: I made a similar attempt to establish a commercial intercourse with Egypt, and another with Cochin China; all proved abortive. I think that a more effective government than that which I possessed, might in this way open new channels of trade, to the great benefit of the Company and of the British nation; but it is only by the authority of the Company through their established agents, that these ends could be accomplished.

Do you consider the supreme authority now vested in the Company, and that of the courts of law now established in India to be insufficient, if duly administered, to secure redress for the natives from any injuries to which they may be subjected in their intercourse with Europeans of any description, even if such Europeans should happen not to be servants of the Company?—I am afraid they are not sufficient.

Are you of opinion that no extension of the present system of the administration of justice in India could be made equal to that purpose?—I am not sure whether it is my opinion that any addition to the powers, which the supreme court of justice at present possess, would be either adequate to the intended purposes, or would not rather prove more injurious than the present state of it: I should fear to assert an opinion that may not be supported by other witnesses before your lordships; but with all the veneration which I feel for the laws of this country, I do not think them a blessing for those we possess abroad. I think every instance of counteraction between the two powers more hurtful to the government than conducive to the ends of justice. I think that the powers of our government are not sufficiently strong, nor sufficiently independent.

Would the introduction of a church establishment into the British territories in the East Indies, probably be attended with any consequences which would be injurious to the stability of the government of India?—I have understood that a great fermentation has arisen in the minds of the natives of India who are subject to the authority of the British government, and that not partial, but extending to all our possessions, arising from a belief, however propagated, that there was an intention in this government to encroach on the religious rights of the people. From the information of persons who have recently come from the different establishments of India, your lordships will easily know whether such apprehensions still subsisted when they left it, or whether the report of them is groundless; but if such apprehensions do exist, every thing that the irritable minds of the people can connect with that will make an impression upon them, which they will adopt as certain assurances

of it. So far only, considering the question as a political one, I may venture to express my apprehension of the consequences of such an establishment at this particular season; in no other light am I permitted to view it: but I can conceive that in a proper time and season it would be advantageous to the interests of religion, and highly creditable to the Company and to the nation, if the ecclesiastical establishment in India were rendered complete in all its branches. [The witness is directed to withdraw.]

Then William Cowper, esq. is called in; and, having been sworn, is examined as follows:

(By Counsel.) How long were you in the service of the Company?—About 32 years, in the province of Bengal. I was also for a short time in the province of Oude, at the court of the Nabob Vizier. During five years I held the office of president of the board of revenue; and I was, during the last ten years, a member of the supreme council.

Had you great opportunities of ascertaining what would be the effect of an increased facility of intercourse between British subjects and the native inhabitants of British India?—I apprehend that the effect of such increased intercourse would be to disturb the peace of the country; it would assuredly have the effect of embarrassing and perplexing the local government and the public functionaries.

Do you conceive that those effects, which you apprehend, would have their origin in the peculiarities of the native character and habits?—I do; the first probable effect of this novelty would be to excite general alarm among the natives wherever these new adventurers, or as they would probably deem them new settlers, should arrive. Uninformed as the European must be of every thing that it was important to him to know of the habits, the customs, the prejudices, the peculiarities, the laws, and the religion, both of the Mahomedan and Hindoo inhabitants, he would ignorantly in a thousand ways be exposed to violate some and give offence in others; it cannot be supposed that some violences would not be committed by the European: this would tend to exasperate both the Hindoo and Mussulman population, and supposing that those adventurers were multiplied to the extent that the question I imagine intends, would lead to universal disorder, anarchy, and confusion in the interior, infallibly as I should think. I beg I may be understood as confining myself strictly in any evidence I may give before the Committee, to the kingdom of Bengal, which is divided into the provinces of Bengal Proper, the province of Bahar, and the province of Orissa.

You have described the probable effect of an unrestrained intercourse between British subjects and natives through all the provinces of Bengal; do you apprehend that the same effect would in any degree follow from a considerable relaxation of those restraints under which the intercourse now subsists between the two races, even supposing the intercourse not to be completely restrained?—Proportionably, all these evils I apprehend would arise from such relaxation of those regulations.

Supposing British subjects to be allowed a free access to the port of Calcutta, but to be confined within certain limits of that port, do you apprehend that such an intercourse between British subjects and the natives would lead to any evil effects?—I apprehend very little; they could have no intercourse, under those circumstances, but with the town of Calcutta.

Are you of opinion, that, in the event of a free trade it would be possible to confine Europeans within those narrow limits described in the last question?—I should think it would certainly be possible to do so, but very difficult, and in proportion as the influx of Europeans should be great.

Are you enabled to state from your own experience, whether there appears any great, or any increasing disposition in the native inhabitants of British India to use the commodities of Europe?—I think not. Undoubtedly all their habits and prejudices go to prevent them from taking off such commodities in any quantities; a large proportion of those commodities they might be led to reject from their habits and prejudices; even their religion: for instance, the whole Mussulman population would never touch any thing that was made of hair, from the apprehension that it might have proceeded from the hog or swine, and would be induced to reject every commodity of that kind, unless they could have the most perfect assurance that there was no such danger to be apprehended, and so of other fabrics: but I should apprehend that the greatest obstacle to the purchase of European commodities by the natives of India, would proceed from their poverty, which utterly

puts it out of their power to indulge themselves in any such luxuries; the vast mass of population of India are extremely poor; and the wages of labour very low.

Are the manners and habits of that people capricious or constant?—Constant; I might almost say unalterable.

Supposing that the use of European commodities in that country is greatly extended, do you suppose that this effect is possible without a very extensive intercourse between British subjects and the native population?—Undoubtedly not: I have no reason to believe that there is any want of a sufficient supply of European commodities to answer all the purposes of the English population. In Calcutta, and some few of the larger cities, a few articles might be taken off by the natives; in Calcutta, by the Hindoos chiefly, they were in the use of decorating their houses and their temples during their festivals with mirrors and lustres of European manufacture: some few close carriages are also used by the natives in Calcutta.

Supposing that any extended use of European commodities in that country is likely, do you imagine it would take place without involving all those hazards which you have described as likely to arise from an unrestrained intercourse?—Undoubtedly not. A traffic with the natives to the extent which the question supposes, must necessarily include the distribution of European adventurers over the whole face of the country, as I know not how otherwise they could possibly find a mart for their commodities; and even then, I think, I am warranted in saying, that not one in two thousand, upon the aggregate of two-and-thirty millions, which may be possibly the population of Bengal and its dependencies, would be found to take off a single article of the description mentioned in the question.

In the event therefore of a free trade between the ports of this country and the ports of British India, do you conceive there is much prospect of an extended use of British manufactures or commodities in that country?—I certainly do not.

Do you suppose therefore that any advantages could possibly result from the experiment of an open trade, which would not be much more than counterbalanced by the dangers you state yourself to apprehend from that intercourse?—I think the advantages would be more than counterbalanced by the dangers.

While you resided in India, did the use of European commodities, and the demand for them, on the part of the native population, in your apprehension, increase?—Not on the part of the native population. Certainly it increased so far as the settlement was increased; when I left that settlement in 1801, Calcutta was six times the size it was in the year 1769, when I arrived there.

Examined by the Committee.

During the time that you resided in India, did not the number of European inhabitants greatly increase?—It did.

Did any inconvenience in your knowledge arise from that increase of European inhabitants?—Very little in Calcutta.

Were there not regulations and restraints under which the Europeans not in the service of the Company resided in the interior?—There were.

Were they found effectual for preventing any serious inconvenience?—They certainly were; now and then of course mischievous spirits were found there, and then it became necessary for the government to exert the power which was given them by act of parliament to remove such persons.

Was the existing authority of the government sufficient for that purpose?—It certainly was; though of course, being rather an invidious power, it was very reluctantly exercised, and always with great caution.

Did any inconvenience arise at Calcutta from the intercourse the Americans had for the purposes of trade there?—Not that I ever heard of. [The witness is directed to withdraw.]

HOUSE OF COMMONS.

Monday, April 5.

Minutes of Evidence taken before the Committee of the whole House of Commons on the East India Company's Affairs. (*Continued.*) The House having again resolved itself into a Committee of the whole House on the Affairs of the East India Company, Mr. Lushington in the chair,

Lieut.-Colonel Sir John Malcolm, was called in, and examined as follows:

Mr. *Adam.*]—Have you not been in the military service of the East India Company, upon the Madras establishment?—I have been. I arrived in India in 1783, and have been ever since that in the service

of the Company.—I returned from India about eight months ago.

Have your services in India been such as to afford you the means of general information with regard to the state of all the settlements under the government of the Company?—They have, having been employed in each.—I was resident at Mysore nearly nine years, but having been employed on various other political missions, I only resided there 14 or 15 months.—During the last 14 years that I was in India, I was employed upon 13 distinct political missions, which missions led me almost over every part of India, both Bengal and Madras; and three of them were to Persia, over which country I have travelled. During those missions I have conducted negociations with almost all the principal courts in India. I have resided at the principal settlements, as well as most of the principal towns and military cantonments in India.—From understanding several of their languages, and having had a great deal of intercourse with the natives of India, during the whole of my residence in that country, I had opportunities, which I endeavoured to take advantage of, to become acquainted with the manners and habits of all classes of society in that country.

From that knowledge, can you state how far an unlimited and unrestrained resort of British subjects, or Europeans, to India, would affect the Indian government?—If by unlimited and unrestrained is meant, that persons going there should be merely subject to the general law of the land, and not under specific restrictions of the local government, there can be no doubt that the resort to every place, except those settlements at which British courts of law were established, would be very mischievous, and ruinous to the government.

By unlimited and unrestrained is meant, that the state of India with regard to government and the restrictions and regulations are to remain as they are, but that the trade is to permit an intercourse of Europeans, and British subjects particularly, with India without limitation, and without the power of restraining them from going there, or preventing them from trading when they are there, in the interior or elsewhere, any where in India within the Company's limits; subject to that explanation, what effect do you think such an intercourse would have, under the circumstances described, upon the state of the Company's government in India?—I think of all the powers which are vested in the local government, there is none more essential to its existence in full vigour and force, than that which enables them to restrain the local residence of every individual European to particular parts of the empire: if British subjects were allowed to go in the manner described to India, the effects would be various, agreeably to the places to which they went; if to the presidencies where British courts of law are established, there would be no other danger, I conceive, resulting from them, but what might arise from their great numbers, and the changes in the condition of the society, and eventually and gradually of the government, from that circumstance; but if they went to any ports where there was no established authority to controul them, and if they proceeded into the interior of the country, there would no doubt be much mischief arising from those quarrels which must inevitably ensue with the natives, which mischief would vary from a hundred local causes connected with the character of the natives of the places to which they resorted.

Describe what you consider to be the prevailing character of the Hindoos?—The character of the different classes of Hindoos, which compose a great proportion of the population of the subjects of the British government in India, varies in different parts of that empire, perhaps as much, if not more, than the nations of Europe do from each other: under the Bengal establishment, there are two descriptions of Hindoos, of a very distinct race: below Patna, the race of Hindoos called Bengalese, I consider to be weak in body and timid in mind, and to be in general marked by the accompaniments of timidity, which are fraud and servility; I think, as far as my observation went, this class appeared to diminish, both in their bodily strength and their mental qualities, as they approached the coast; and those below Calcutta, are, I think, in character and appearance, among the lowest of all our Hindoo subjects: but from the moment that you enter the district of Bahar, or rather the district of Benares, throughout all the territories in that quarter subject to the Company and their dependent ally the nabob of Oude, and the Douab, the Hindoo inhabitants are a race of men, generally speaking, not more distinguished by their lofty stature, which rather exceeds that of Europeans, and their robust

frame of body, which in almost all is inured to martial toil by exercises (I speak more particularly of the Rajpoots, who form a considerable proportion of this population) than they are for some of the finest qualities of the mind; they are brave, generous, and humane, and their truth is as remarkable as their courage; the great proportion of the army of the Bengal establishment is composed of these men, and it is remarkable there are few corporal punishments in that army, the slightest reproach being in fact felt as the greatest punishment is among other nations. It is more than half a century since the army of Bengal was first formed, and I believe there is no instance of any officers being more sincerely attached to their men than the British officers have been, during the whole of that period, to the Hindoo native soldiery of that part of India; and it was within my knowledge that this class of men possessed, not only the esteem, but the affection of the late lord Lake, which nothing could have gained them but the qualities I have described. I have spoken more to the military class of Hindoos than to the others, because I am more acquainted with them; but from all I ever heard of the character of those who follow civil pursuits, it is much the same, allowing for the difference of the habits of life, as that of the Bengal sepoys. On the coast of Coromandel the Hindoo is a weaker man than the Rajpoot; but still there are many classes among them who are highly respectable. On the other side of India, under the presidency of Bombay, the Hindoos, inhabitants of Guzerat, our lately acquired provinces, are chiefly Mahrattas, and from all I have heard or seen of them, are much superior to the inhabitants that I have described along the coast of Bengal, and even to those along the coast of the Carnatic.

Do you consider that the influx of Europeans in the manner described in a former question, would be attended with the evils which you apprehend?—I certainly do; the servile and submissive character of certain classes of the Hindoos, would invite an oppression that would be attended with bad effects to the general character of our nation; and the high feelings of the other class would be certain to produce broils and quarrels with persons, who, by the question, I am led to suppose must in general be ignorant of their language and habits.

Do you conceive that those evils would be likely to be aggravated in any respect by the manner in which the natives of India consider their women, and persons of the female sex, under their protection, as objects of affection and regard?—Most undoubtedly, and more particularly with the Mahomedans.

What are the circumstances in the characters or manners of the Mahomedans, in this respect, that would render that evil more likely in their case than in the case of the Hindoos?—Because I think that race of men have (if it is possible) a still more violent jealousy of the character of their women than the Hindoos.

Have you had any opportunity of considering how far such an influx of Europeans as has been described might affect that particular part of the country where you were appointed political resident?—There were, as far as I can remember, no Europeans in Mysore, out of the service, during the time that I was resident, except one or two suttlers in the military cantonment; and I certainly should have hesitated in recommending to government that any should have been allowed to reside there, because I deem it an essential principle to prevent by every means the occurrence of those disputes and quarrels between Europeans and natives, which never can happen without a certain degree of bad tendency towards the general character of our nation, and as far as that is concerned, must in a certain degree be hurtful to our government; and this was more particularly the case in Mysore, in which all such disputes and quarrels gave rise to political discussion, as that country is under the dominions of a prince virtually dependent perhaps upon our government, but certainly not directly subject to its authority.

Have you known, during your residence in the Mysore country, any disputes between natives and young European officers?—Such were very frequent; in most cases they proceeded from the violence of the European officer, or his ignorance of the manners and language of the inhabitants.

Do you think that Europeans out of the service of the Company, ignorant of the language of the natives, and going into the Mysore or any other part of India, are likely to get into disputes with the natives; and why?—If it frequently occurs that officers who are under all the restraint of severe military discipline, are embroiled in such disputes, I conceive persons not in

the service, and equally ignorant of their manners and customs, would be still more liable to be so: one prominent cause of such persons being involved in disputes, will be the native interpreters, whom they employ as the medium of their communications, such persons, who generally speak broken English, are one of the lowest and most fraudulent classes of the community; their object is to derive a livelihood by cheating both the European by whom they are employed, and the native with whom he has any concern; and they have always art enough to direct the rage in which the European is, at being defrauded, against the person with whom, from ignorance of their language, he cannot directly communicate.

State whether the general population of India are likely to become customers for European commodities?—If by the general population of India is meant (which I suppose it is) the great mass, there is no doubt they are not likely to become customers for European articles, because they do not possess the means to purchase them, even if, from their present simple habits of life and attire, they required them.—I believe (for I have not very minute knowledge upon the subject) that the wages of labour and the pay of manufacturers differ in a very great degree over different parts of India, but that in no part is it sufficient to enable them to purchase luxuries; and such they consider every European article.

Is it the practice for the Indians of higher rank and greater wealth, to apply their superfluous wealth in the purchase of European commodities?—In the principal settlements and at some of the larger towns under the dominions of the British government, there are many natives who purchase articles of luxury, such as broad cloths, watches, and various articles of that kind; but I do not think such can be said to apply their superfluous wealth, that is more generally expended in feasts, marriages, and other things more connected with the usages and manners of their own country. I have known some who imitated (to flatter their superiors) European manners, and adopted almost their dress; but such, when they were Hindoos and Mahomedans, generally appeared to me to lose in the value of their own class, by a departure from the usages. The rich settlement of Bombay is perhaps an exception to this rule: the Parsees, who are extremely wealthy, and a perfectly distinct class, have assimilated more with the European character than perhaps any other race in India, and they spend a great deal of money in furnishing houses, and purchasing carriages and other luxuries of a similar description; many of them are in the habit, I believe, of ordering very large supplies of articles from England, both for their own use and for sale, for they are almost all merchants. I have understood that the late nabob of the Carnatic had a vanity in purchasing many European articles; and I believe that the present nabob of Lucknow, Sadit Alli Cawn, and his predecessor, have purchased more European articles than all the rest of the persons in their dominions, put together; a conduct which has no doubt proceeded as much from the vanity of making the collection, as from any use to which they could be put.

Are you able to state whether the present mode of supplying, and the amount of supply of English and European articles sent to India, has been sufficient or more than sufficient to supply the demands of the natives?—I never was at any principal town, or any military cantonment, in British India (and I have been at most) that I did not see a superabundant supply of such articles, and which the natives might have purchased, if they chose.

Have you any access to know, from the situations you have been in in Persia, whether the Company have taken every means in their power to push the sale of European commodities in that quarter of the east; and if you have, state what the effect of those efforts has been?—When I went on my first mission to Persia in 1800, I was directed by the supreme government of India to attend to any instructions I might receive from the government of Bombay, and that government furnished me with every information upon the former trade with Persia, and earnestly desired my attention to the object of finding a mart for any European goods, but particularly woollens; and I had an opportunity of knowing, that so eager was their desire at that period to promote the sale of woollens in that quarter, that their agent at Bushire had been allowed to sell them at a rate, and upon a credit, the result of which was a very considerable loss to government: I made every inquiry that was possible; and in concluding the commercial treaty, obtained some diminution of the duties, but

do not believe there was any increased sale: the north-western part of Persia, in which the court resides, is partly supplied with woollens and other European articles from Astracan, by the Caspian sea, and even British woollens are imported by that quarter.—I took every means within my power to promote a general intercourse between the two countries, and to give every facility to the sale of every article both European and Indian; and I had the satisfaction of believing, that by my endeavours the trade of indigo, which had before chiefly gone through Cabul to Persia, was turned to the port of Calcutta.

Have you found it practicable to promote the sale of English and European commodities there?—I had no means of promoting the sale farther than by establishing that intercourse which rendered the communication more amicable and easy; the trade was perfectly open to Bushire, and being carried on chiefly by Persian merchants themselves, who had resort to every port in India, I can have no doubt they carried every article to their own country that would produce them profit; but the consumption of European articles in Persia, with the single exception of woollens, is, I believe, very trifling, chiefly on account of the general poverty of the mass of the community, and also from their own country furnishing all such articles as are necessary for their habits of life.

Besides the poverty of the country and of the people, does not the insecurity attending the conveyance of commodities from one part of Persia to another, tend very much to prevent the sale of European commodities there?—That no doubt must tend generally to interrupt the commercial intercourse of the country, for till within the last 15 years Persia had been in a most unsettled state for a very long period; but that kingdom has been lately comparatively tranquil and settled.

You have mentioned the Parsees; are they not a small tribe confined to the small island of Bombay?—They are confined as a community to a part of the country of Guzerat and Bombay, they are certainly only a small tribe comparatively with any other class in India; I do not know their numbers established on the sea coast of Guzerat and Bombay.

Can you state what proportion of that number may be of the higher orders, who dealt in the luxuries of European commodities?—I cannot; but those were in a comparatively small proportion to the numbers of their own community, only the most wealthy.

Can you state whether, for the purpose of European or British consumption in the principal settlements of the Company in India, Indian artisans, or manufacturers of European commodities, have established themselves in those settlements?—They have; but the great proportion of such articles are manufactured under the direction at least of European artisans, who are settled at the various presidencies.

Have European artisans began to settle there, and to carry on their trades?—They have; in the different settlements of Calcutta, Madras, and Bombay, are to be found coach-makers, upholsterers, boot and shoe-makers, leather manufactories of all kinds, particularly at Madras; watchmakers, silversmiths, all Europeans, with native workmen.

Do the produce of those manufactures tend to diminish the consumption of European commodities sent from Europe?—They must, no doubt, have that tendency in a very considerable degree; and they are (as far as I could judge) extending as fast as Europeans come out to direct them.

You have said, that the artisans are Europeans with Indian workmen; from your observation, are not the Indians extremely ready in learning any handicraft art, and have they not been enabled to make those articles to very considerable perfection?—They are extremely apt at learning all such trades; various manufactures have been established; leather in all its branches is manufactured at a tannery established at Madras, at which they make military accoutrements, boots, shoes and other articles, even to ladies' gloves; carriages and other articles are made in very great perfection: many of the half cast, or children of European fathers and native mothers, are employed in such trades.

From this aptitude on the part of the Indians, is it not likely that they would, in process of time, supply themselves with all such articles, to a diminution of European importation to India?—There can be no doubt they would; I should conceive, from the price of labour, that they will be enabled to make those articles cheaper; I mean all such articles as the nature of the climate will admit of their manufacturing.

(Examined by the Committee.)

Do you think, or not, that the majority

of the Hindoo population are contented with the British sway, at present?—I have answered that question as far as I am able in what I stated above; they appear to be so.

Do you think that the Mahomedan part of the population are equally contented and satisfied with the British sway, as that of the Hindoos are?—I think it is probable that a great proportion of the Mahomedan population may not be so much contented, because they have a more recent recollection than the Hindoos, of that power which they have lost by the introduction of our government.

While the Hindoos are contented with the British government, do you imagine that any discontents or attempts, on the part of the Mahomedans, could seriously affect the British power in India?—The British power in India is spread over so vast a country, and the different provinces of that empire have such a varied population, that it is rather difficult to answer that question: but there are, no doubt, provinces in our empire, such as the Douab of recent acquisition, where the great majority of the military part of the populaton are Mahomedans; and any insurrection in that province, for instance, could receive no check from any good disposition of the Hindoo inhabitants. In many other provinces the Hindoos form the great majority, and an insurrection of the Mahomedans would be of comparatively less consequence; but I certainly conceive that the attachment of the Hindoo population of India is the chief source of our security in India. It is however to be remarked, that in many parts of India the Hindoos and Mahomedans have amalgamated more than could be supposed from the difference of their persuasion; and the Mahomedans of India have not only become more lax in the performance of their religious duties than the Mahomedans of neighbouring countries, but seem gradually to have adopted some of the minor usages of the Hindoos; nor is it unusual for Hindoo princes, such as Scindia and Holkar, to conciliate their Mahomedan subjects and troops, by paying their devotions at the shrine of Mahomedan saints, and mixing in their feasts.

It appears, then, from what you have just stated, that the Mahomedans and the Hindoos live together in social habits, in many parts of India?—In as social habits as their faith will permit. In speaking of the Mahomedans of India, I have been led to state what I have done, from having had an opportunity of comparing their manners and usages with the Mahomedans of Persia, Arabia, and Turkey.

Do you think that there are any motives by which the Mahomedans could excite in the Hindoos a disposition to unite with them in putting down the British power?—I conceive there are no motives but such as should communicate to both a common sentiment of alarm or indignation at the conduct of the British government, or at that of any of its delegated authorities.

Are you of opinion that the Mahomedans would put down the British power if they could?—I certainly do not think it is a common desire with the Mahomedans in every part of India to subvert the British power, however it may be indulged by some of the turbulent of that class, and particularly the higher ranks, who have recently lost their authority; nor am I satisfied that all Hindoos are contented; I am able only to speak of the apparent general disposition of our subjects.

Do you think if any ground was furnished, to enable the Mahomedans to induce the Hindoos to make common cause with them, that the British power must not be speedily overset?—I can have no doubt that if a cause should operate, as is described by that question, our authority could not last a day: I understand by the question, that by the words Mahomedans and Hindoos, are meant all our subjects of that class in India.—[The witness was directed to withdraw.]

The Chairman was directed to report progress, and ask leave to sit again.

Attainder of Treason and Felony Bill.] Sir S. Romilly having moved the commitment of the Bill to take away corruption of blood as a consequence of Attainder of Treason or Felony,

Mr. *Yorke* observed, that as it was his intention to oppose the Bill, he wished the hon. and learned gentleman, with whom it had originated, would fix some day for the discussion of the various subjects it involved, and which he conceived to be of high importance. He should then have an opportunity of stating his objections, and he might perhaps think it proper to move for the re-commitment of the Bill, with a view of proposing such amendments as might appear necessary.

Sir *S. Romilly* could not help expressing his regret that the right hon, gentleman had not taken the opportunity of discuss-

ing the merits of the Bill upon its second reading, which was unquestionably the proper and more regular time for bringing forward the objections which he deemed material. It was, he would say, rather singular that the right hon. gentleman should have suffered that stage of the Bill to pass by unnoticed, and now express his wish to have a day fixed for discussion. He had also to remark, that no specific objection had been advanced, which could justify the opposition thus attempted to be raised against the measure.

Mr. *Yorke* contended, that in opposing the Bill, he merely exercised the right which every member possessed, of objecting to any Bill, in any stage whatever before the House. He should not, however, persist in his opposition on the present occasion, but would reserve himself for a full and fair discussion in the further progress of the measure.

A discussion on this point ensued, in which sir S. Romilly, Mr. Frankland, Mr. Whitbread, the Solicitor General, and lord Castlereagh participated. Eventually the Bill passed through the Committee. The House having resumed,

Sir *S. Romilly*, having first moved, 'that the Report be received to-morrow,' proceeded to say, that he should be sorry to appear pertinacious in the course he felt it his duty to pursue; but when he had introduced the present Bill, he had stated it to be connected with other measures which he had brought under the consideration of the legislature, and he was anxious to satisfy the House, that his notions were not so extravagant as some hon. gentlemen supposed. There were many persons who erroneously confounded corruption of blood and forfeiture together, whereas no two things could be more distinct. Forfeiture was always a punishment inflicted for an offence; corruption of blood was a consequence of the feudal law. The House must be aware that corruption of blood was never intended as a punishment for an offence, for if it were, it would be punishing the innocent for the crime of the guilty, and that, sometimes, at the distance of half a century, when the original offender was dead and forgotten. His hon. and learned friend had said, that this law had a salutary operation in preventing crime, from the consideration of the consequences to those who were nearly connected with the person who might otherwise commit it, but though he admitted this in some degree, yet he could not allow it to be a justifiable ground for retaining the present law. It was a necessary consequence of all punishment, that it caused the innocent to suffer as well as the guilty. In other cases there was the punishment of sympathy—in this it was different. By corruption of blood, if a man attainted of treason leaves a son who acquires a property invested in a real estate who dies without children, and leaves his property to some collateral relation, that relation cannot inherit, because his uncle, perhaps, had committed a crime which subjected him to corruption of blood. He could not be a link in tracing a pedigree from one remote relation to another. Could it be asserted, at the present day, that this extravagant subtlety and refinement should enter into the penal code of this country? Would any man be deterred from the commission of a crime, to which he felt strong present incitement, by the remote apprehension of the consequences which might ensue to some distant relative? It was also to be recollected that this law did not operate in producing forfeiture to the king, but escheat to the immediate lord.—Mr. Justice Blackstone in several parts of his Commentaries had expressed himself hostile to this doctrine, which he spoke of as one that it was desirable should be exploded.—Another objection to the law was the inequality of its operation, for in Scotland it was only made to apply to cases of treason by the Act of queen Anne, and again, it was law over all England, except the county of Kent. He asked, then, what consistency there was in not preventing crime in Kent as well as in the rest of England? In some cases also corruption of blood had been taken away by accident, and also in some new-created felonies, some of which were not of the most venial description. Such was the anomaly that prevailed at present, which, he was sure, ought not to continue, and for the continuance of which, he was persuaded, before one word had been said by way of argument, no one just or rational cause could be assigned.

Mr. *Yorke* considered the present proceeding as very extraordinary, for he never recollected having heard the principle of a Bill debated on the question that the Report should be received on the following day. The hon. and learned gentleman had not said one word upon the question before the House, and therefore he really felt himself at a loss what course

to pursue. He was inclined to move, that the Report should be received that day six months, or that it should be rejected altogether: but his respect for the hon. and learned gentleman induced him to adopt the former course. For his part, he entertained very strong doubts as to the propriety of taking away corruption of blood altogether, nor was there one fact stated as a matter of grievance which called for the interposition of the House, to remove one of the most ancient principles of the common law of the land. The hon. and learned gentleman had stated, that this Bill did not affect the question of forfeiture, but in his opinion, if it was passed, it would be found necessary to adopt some measure for guarding the prerogatives of the crown from being invaded in forfeitures. The hon. and learned gentleman had principally dwelt on some general notions of the innocent suffering for the crimes of the guilty; but he must say, that in examining questions of ancient law, he was inclined to decide on the reasons which had induced their ancestors to frame it, and he was exceedingly jealous of those new lights that would go to establish it as a maxim, that our entire penal code was founded in cruelty and injustice. He was one of those who were prejudiced in favour of our ancient laws, at least, so far prejudiced, as not to acquiesce in any alteration of them, until some strong case was made out to convince him of its necessity. He hoped he need not now argue that treason was the greatest and most atrocious crime that could be committed in a state; that the person guilty of it was accountable for all the crimes attendant upon it, and that therefore it was an abstract of all other crimes. This being the case, the highest penalty should be attached to it; and sir Matthew Hale, speaking of its character of enormity, had said, that "treason should therefore be subject to the greatest penalty." Was the state to have no protection against the greatest crime that could be committed within it? By the statute of William, the proof and the punishment of treason had been rendered more difficult: and were they to withdraw those terrors which their ancestors had wisely placed around this crime? There was no difficulty in applying to the crown for restoration of blood; and the statute-book abounded with instances of this kind, full as frequent as those of an opposite nature. But one would be led to imagine that the hon. and learned gentleman was proposing Bills immediately after the time of George the 2d, when the law was in active operation. Was it a time to relax the law against the crime of treason, when the memory of the rebellion in the sister kingdom was so recent—when it had been admitted, in that House, that there existed agitators who were anxious for the separation of the empire? Had they forgotten all that had happened in the north of England some months ago? Surely they should beware how they altered those salutary laws, at a period when all the energies of the state should be excited on the one hand to guard against foreign aggression, and on the other against internal commotion. The right hon. gentleman concluded by moving, "That the Report be brought up that day six months."

Mr. *Preston* defended the principle of the Bill, and denied that it interfered with the law of forfeiture in any respect; on the contrary, he maintained that it enlarged the rights of the crown. He then instanced several cases, in which the law, as it now stood, would apply injuriously to the possessors of property under different tenures; and concluded by saying, that, as a practical question, he felt himself bound to give the Bill his support.

Mr. *Wynn* said, that though he should vote in favour of the Report being brought up to-morrow, he was not fully prepared to accede to the whole measure. He confessed that he had heard no argument of any weight against taking away corruption of blood in cases of felony, while those on the opposite side appeared to be conclusive. But he was obliged to confess, that with all the respect he entertained for his hon. and learned friend, the considerations which appeared satisfactory in the case of felony did not extend to that of treason. On looking back to the history of the country, it was sufficiently evident that corruption of blood had operated, and was still likely to operate, on that description of persons who were most dangerous to the state in such cases. This law appeared still more necessary from the consideration that treason, in the popular opinion, did not possess that character of atrocity which was attached to other crimes. He denied that the number of exceptions which appeared to the general principle of this law on the statute book was an argument against the law; for the loyalty of the son was thereby allowed to redeem the crime of the father, and he

was driven to make a merit of giving his services to the existing power. The present state of the law, which left to the clemency of the crown and of parliament, the means of restoring estates to those who by their loyalty merited that restoration, might be called a base mode of bribing loyalty: but he was willing to accept that mode, if no better one offered itself. He did not see how they could avoid the consequences of making children suffer for a parent's default. Cicero entertained the same opinion, when he said, that nothing was more conducive to the public good, than that men's affection to the government should be influenced by the affection they bore to the future welfare of their posterity. Property, indeed, was the creature of law, which might attach to it such conditions as it thought fitting. He knew of no principle of common justice by which an elder son claimed a right above all his brothers: that was founded only on the common law, on a sort of immutable basis, and immemorial usage in this kingdom. He would not look back to the times of the Saxons, but would look only to the effects of this law. If it was, like some others, inapplicable to existing circumstances, he would vote for repealing it: but he thought otherwise at present, and must continue to do so, until he heard more convincing arguments. He was, therefore, unwilling to strip the crime of treason of its legal consequences.

Mr. *Lockhart* agreed precisely in what had fallen from the hon. gentleman who had just sat down. He was against doing away with corruption of blood altogether; and was for continuing it in cases of high treason. He admitted, with those who had gone before him, that the prospect of such a blot in the family escutcheon might fairly be presumed to operate on the mind, and therefore was he against that part of the Bill which went to abolish corruption of blood even in cases of high treason. He admitted the propriety of taking away the corruption of blood from cases of felony.

Mr. *Wetherall* observed, that all the Bills of his hon. and learned friend indicated the intention of altering the whole system of our criminal laws. Of that intention he could not approve, as he did not see the necessity for such a systematic alteration. He contended for the propriety of not doing away with the corruption of blood, as the fear of such an affliction to their posterity might prevent the commission of crimes of such dangerous tendency. In cases of high treason, he thought it very right to be retained. It had been said that there was a difference between the laws of Scotland and England on this subject, and that there were even different laws for different counties in England; but he would maintain, that, to talk of introducing new Acts for the purpose of smoothing down these differences—of equalising these laws, was absurd. (Hear, hear! from the Opposition benches.) His hon. and learned friend had disclaimed systematic innovation; but what other character could be given to the Bills introduced by him? One individual Bill after another had been introduced: his hon. and learned friend was proceeding step by step; in progress of time he would go round the whole circle of criminal code; and by and by, if the House were to give way, all the laws would be swept into this vortex of innovation. He was not for giving up the corruption of blood, sincerely believing in its necessity as now established by law; he should therefore support the amendment.

The *Attorney General* said, he disapproved of the Bill: and particularly that part of it which went to do away with corruption of blood in cases of high treason; for two reasons, first, the prevention of corruption of blood; and secondly, as to its operation on the mode of trial for high treason as at present established. Respecting the first point, in tracing a pedigree it undoubtedly might be somewhat inconvenient to find that blemish which would be left by those who had been convicted of high treason; but would that objection be sufficient for abolishing what tended so essentially to the protection of the state as this peculiar mode of punishment for high treason? With regard to his second point, the operation on the mode of trial, at present all persons accused of high treason must be supplied, agreeably to the 7th of king William, with copies of the indictment, the pannel, the list of witnesses to be adduced against the accused, and of all the overt acts charged. Here there was a most material difference from all modes of trial for other crimes than that of high treason, solely because the conviction carried such effects with it; but this Bill would go to do away with those privileges, if the severity of the punishment by corruption of blood were to be swept from the statute-book. He disapproved of the Bill therefore, because it went to take away a valuable safeguard to the security of the state, which was a most serious innovation.

Colonel *Frankland* said, that one objection to the Bill, which had struck him very forcibly, was, that which had just been stated by the hon. and learned member who spoke last. But perhaps, if the Bill passed, it would be easy to get rid of the objection by altering the Act of king William on this subject, and if so, the labours of his hon. and learned friend would not be at an end. The whole of this question was, in his mind, set at rest by the Act of 1799. That Act did what lord Somers had not dared to do in 1708, nor lord Hardwicke in 1746; it extended the corruption of blood in cases of high treason, to perpetuity, which those great men in former times had restricted to the life of the Pretender, or any of his descendants, from reasons of state, which existed at the time only. Those acts were not the fruit of contemplative and speculative wisdom, but of immediate policy, of a compromising and temporising spirit. They wished to secure the Union—they were therefore obliged to compromise with the Scotch. What took place in 1799 had put the question at rest. It was found that a disputed succession at one time, and a disputatious philosophy, at another, might breed rebellion and treason, and it was therefore thought necessary to provide against both at all times. The same arguments were, however, brought in array again, which had been before rebutted. Among these was the hardship done to the innocent offspring. But to this it had been well answered, that property was the creature of society, and that the right of property could not therefore be insisted on for the destruction of society. Now there were persons tempted to the commission of this crime of high treason, whose minds were so distorted and disturbed, that they cared nothing about themselves, every thing went wrong with them, the whole world went wrong, all was a wide-spreading scene of confusion and desolation, they were ready to plunge blindfold and headlong into it, but a sudden thought shot across their minds—their children—their posterity—their property—what would become of them? Was it not a providential circumstance, that in a case of this magnitude and importance to society, where we had no other check upon the passions, where the mind was so slippery that we had no other hold of it, we had this sure one in the prospective and unalterable attachment to kindred and posterity? This was equally manifest in the case of bankruptcy and suicide. It was an universal trait of human nature. It was a conclusion demonstrable from all law and all history. The same thing had been said by Cicero—*amicitiores rei publicæ*. But difficulties present themselves—conveyancing difficulties; not that these were very important, even to those who had to solve them. But what were these difficulties arising from a flaw in the title of an estate, in competition with the maintenance of the first principles of all property, of all law, and all society? The authority of sir William Blackstone had been referred to as against the corruption of blood. But it was not fair to look at a few sentences brought in as ornamental flourishes at the end of a lecture, to enliven the students of a college. His opinion was to be collected from the whole bearing and tenor of his work, which was decidedly in favour of the prevailing system. In the whole course of this debate, not one word had been said about honours—were they to be transmitted along with the estate? Was the 'corruption of blood' to become a phrase? Were we to teach the youth of this country that there was a pure, untainted, uncorrupted blood, and another which was corrupted and tainted? He should do all in his power to prevent the introduction of such false and degrading maxims, and should therefore oppose the present motion. He supported the Bill so far as it went to do away the corruption of blood in cases of felony, but he thought it ought to be retained in cases of high treason. However far he might assent to the propriety of doing away the corruption of blood in cases of felony, he certainly could not agree to its abolition in cases of high treason.

The *Solicitor General* rose merely for the purpose of not incurring the reproof which he had formerly received in consequence of his silence. He had read all the authorities upon this subject, and still maintained the opinion he had formerly delivered. He could not avoid considering this Bill as a part of a system which it would not be expedient to introduce. The present Bill was not called for by any necessity, and it would remove one of the safeguards of the constitution. This was the principal ground upon which he rested his opposition to it. He had been represented as having said, on a former occasion, that many people were found ready to destroy themselves for the good of their families. He never had uttered such egregious non-

sense. What he had said was, that when lives were insured by a policy of insurance, the consideration of the loss that such an event would produce to his family had often checked the hand of the suicide, and prevented the commission of the crime.

Sir *S. Romilly* replied to the various arguments which had been urged against the Bill. He said that his motion went to a general principle, to take away corruption of blood in all cases whatever, of felony as well as treason; and it was only with respect to the latter that it was objected to. He thought, therefore, it should not be entirely thrown out. Both his hon. friend near him, and the right hon. gentleman opposite (Mr. Yorke) had signified their approbation of the principle as it applied to all cases but treason, and he therefore was at a loss to know how the right hon. gentleman would reconcile his motion, to have the Bill read that day six months, by which it would be entirely lost, with his speech which approved of it in part. He had been accused of having a system, and to this charge he must plead guilty, if by having a system it was meant that in enacting or repealing one law, you considered the effect it would have upon other laws. His hon. and learned friend opposite (Mr. Wetherall) had completely exculpated himself from this charge of system, when he declared that he was for having one law in Kent, and another in Middlesex; one law in Scotland, and another in England. In another place, which he should not mention, it had been objected to him that he had not proceeded more systematically, that he had not laid down a general principle of legislation, and developed a regular plan of alterations in our criminal law. So impossible was it to provide against all the objections which would be made to any one who indiscreetly offered himself in the character of a legislator! The hints which had been thrown out about modern lights and modern philosophy affected him but little, when he reflected that his opinions were confirmed by the authority of some of our most eminent writers. One of these was Mr. Justice Blackstone. The corruption of blood, he had declared, was an injustice which ought to have been abolished with the military tenures. The late Mr. Yorke had been quoted against him on the subject of forfeitures, but unfairly. He had letters in his possession which had passed between that venerable character and sir W. Blackstone, on these very expressions in his Commentaries, which he did not consider as the mere ornaments of a college lecture. But it had been said, that that passage was of no authority whatever, that it was a mere idle flourish, though the work itself was of great authority. On the other hand, it had been said by a very high magistrate, that it was the work of a speculative man in his closet. It should be remembered, however, that that speculative man had been advanced to be a judge, that he sat many years in a court of justice, and that he, a little before his death, corrected the ninth edition of his work, as he had carefully done all the preceding ones. He sent the proof sheet relating to the corruption of blood to Mr. Yorke, who returned for answer, "It is one thing to explain the law, and another to wish to see it altered; the first is what I have done, I have never gone farther in what I have written on forfeiture." It was evident that his opinion could not be cited against sir W. Blackstone, even if forfeiture and corruption of blood were the same thing; but sir W. Blackstone had himself as strenuously defended forfeiture as he had opposed the corruption of blood. His hon. friend (Mr. Frankland) had discovered, that the whole question was settled in 1799; if so, it was settled without a single word being said of the matter: for that Act related only to forfeiture. He did not expect the charge of innovation to be echoed from the hon. member who sat on the opposite side of the House, who had himself brought in one of the greatest innovations in our law—the Armed District Bill. Neither did he expect the distinction to be taken which a learned gentleman had made use of with respect to real and personal property. If a man held an estate only for a thousand years, it would descend in spite of the existing law. Another inconsistency in that law was, that it only applied if the person died intestate, otherwise he could leave his whole property to his descendants, by will. It had been objected to him, that we ought not on his principles to punish the guilty at all, because their fate affected their relatives and friends; but it did this only indirectly and inevitably, from their sympathy with others; whereas the corruption of blood punished the innocent directly and voluntarily, and the guilty only from sympathy and virtuous attachment to those connected with them by the ties of blood. Why not, indeed, carry the reasoning a little farther, and inflict actual

punishment upon the relations: This had been formerly done. In Arnot's cases, there was an account of a woman in Scotland, who had been put to the torture to make her confess. She had firmness enough to resist: but she had a son of 15, and a daughter of 7 years old; they were put to the torture also, and this was more than she could bear. The hon. and learned mover then added other arguments in support of the Bill, and hoped that the right hon. gentleman would not persist in his amendment, particularly as he had been taken rather by surprize in having the debate come on to-night.

The House divided, when there appeared, Against receiving the Report, 55; For it, 43; Majority, 12. The Bill is therefore lost.

HOUSE OF LORDS.

Tuesday, April 6.

MINUTES OF THE EVIDENCE TAKEN BEFORE THE LORDS COMMITTEES ON THE EAST INDIA COMPANY'S AFFAIRS (*Continued.*)] The order of adjournment being read: the counsel are called in.

The Right Hon. JOHN Lord TEIGNMOUTH is called in, and, having been sworn by the Lord Chancellor, a chair is placed for his lordship near the table, and his lordship is examined as follows:

By Counsel.] Will your lordship inform the Committee how long your lordship was in the service of the East India Company?—About 30 years, of which period I was resident about 24 in India. I was chiefly employed in the revenue department, until I was appointed a member of the supreme council at Bengal. I was something more than three years a member of the supreme council, and about four and a half governor general.—I had many opportunities of obtaining a knowledge of the character of the natives of Bengal, and it was my constant endeavour to obtain an accurate knowledge of it.—I think them very tenacious of their peculiar habits, customs, and prejudices, and that a violation of them would be strongly felt by them.

In the event of the trade being opened between this country and India, and free permission granted to the natives of this country to enter and reside in the Bengal provinces at their pleasure, is it your lordship's opinion that any serious evils are to be apprehended to the peace and happiness of the natives of that part of the country?—An unrestrained admission of Europeans into the country, in the mode in which it has been explained by the counsel, would certainly in my opinion be attended with very great inconvenience and embarrassment to the government of the country, and might probably be attended with mischievous and dangerous consequences.

Does your lordship apprehend that those consequences would be dangerous to the peace and happiness of the inhabitants of the country?—The admission of a number of Europeans into the interior of Bengal, of people unacquainted with the habits and customs of the natives of that country and many of them entertaining a contempt for them, would probably be attended with this inconvenience, that they would often violate the prejudices of the natives by their conduct, and excite a considerable degree of irritation in the natives by such conduct; but whether it would be attended with evil consequences to the peace of the country, generally speaking, I feel some hesitation in giving any positive opinion; there is another instance in which I think the unrestrained admission of Europeans in the mode pointed out would also be attended with bad consequences, that it would tend to lower the British character in the estimate of the natives; and that might be deemed a dangerous effect, when the great disproportion between the inhabitants of India and the number of Europeans is taken into consideration.

Can your lordship form any estimate of the proportion of the Europeans in that country to the natives?—Is the question confined to Bengal or to all India?

It is confined to those countries with which your lordship is acquainted.—If the question referred to all India, I could answer it with more certainty; and I should say then, that I considered the proportion of natives to Europeans to be that of about two millions of natives to 1000 Europeans. I suppose the natives subject to the British government in India to be nearly sixty millions, and the whole number of Europeans in all parts of India probably not to exceed thirty thousand.

Supposing that irritation which your lordship has supposed would take place in the minds of the natives, from unrestrained intercourse with Europeans, and supposing that degradation of the European character

in their opinion which your lordship has alluded to, do you not think it might ultimately affect the stability of the British empire in India?—A long course of irritation, and an increasing sentiment of degradation, might lead to such an effect. That consequence would very much depend upon the number of Europeans so admitted into India, and the degree of irritation which they might excite; I should suppose that much of the evil might be corrected by the interposition of the governments in India.

If such traders were restrained from proceeding into the interior of the country, but were permitted to resort to and reside in all the ports of the peninsula at will, do you apprehend any similar effects from that permission?—In that case I should think the effects would be comparatively little.

If Englishmen were allowed by law to pervade at will, and reside freely at all parts of the Bengal provinces, is your lordship of opinion that it would be possibly in the power of the supreme court at Calcutta, to which alone at present Englishmen are criminally amenable, to prevent or to punish the oppression of the natives by such persons?—The supreme court, I should conceive, could not act without the assistance of the local governments, because the superintendance of the police of the country is intrusted to officers appointed by the government of Bengal; and I believe that those officers so appointed, under the denomination of magistrates, act also as justices of the peace. The supreme court of judicature has no officers of its own in the interior, it could not therefore in the first instance restrain the oppressions of Europeans; if any such were practised, the complaint of the sufferers would probably be preferred to the European magistrates, who have power to apprehend them, and might send them to Calcutta for trial by the supreme court of judicature, if they judged it right and expepedient. I do not think that any power would altogether restrain the commission of acts of oppression; but that by regulations adapted to the case, they might be prevented by punishment, as far as punishment can prevent the repetition of crimes.

Is your lordship of opinion, in the event of a free trade between this country and India, a considerably increased demand for European articles among the natives would be likely to take place?—I think not.—I am not aware of any manufactures in this country that the natives would be likely to purchase in any considerable degree; this opinion is formed from my knowledge of their modes of living in India.

Is your lordship of opinion, that under the present system, or any other system that might be adopted for the government of the Indian empire, that there is any reasonable probability that the general mass of the population of India should so increase in wealth as to be enabled to purchase European articles to any considerable degree?—I see no prospect of it; but I should not rest my answer to that question merely on the increase of wealth, but my opinion is founded principally on the modes of living of the natives.

In particular, does your lordship think that there would be any chance of their wearing British woollens in the rainy season?—Some few might be induced to wear our broad-cloths in the cold season, but the bulk of the people would not be able to purchase them: and with respect to the higher ranks I should think they would prefer the shawls of the country to our broad-cloths. I should suppose that the increased sale of broad-cloths would be very limited.

When your lordship states that some few might be induced to buy the broad-cloths of this country, does your lordship mean that these persons are in the higher ranks?—No, I do not. I should rather conceive them in a rank neither the highest nor the lowest; I would for instance state the native servants of Europeans; but under any circumstances, I think very few would be likely to use them.

Your lordship has referred for the foundation of your opinion to the general situation of the mass of the population in that country; will your lordship be so good as to state the general situation of the mass of the population as to their houses, furniture, dress, and food?—The general mass of the population of India live in straw huts; their furniture consists of a few articles of the country, mats, and a few earthen pots for dressing their victuals; their food in general is rice; their dress is a very small proportion of cotton cloth the produce of the country.

Did it happen to fall within your lordship's knowledge, while you were in the supreme council, and at the head of the Bengal government, that the Company used every endeavour to introduce Euro-

pean manufactures to all that part of the country within the extent of their charter?—I have always understood it to be their wish and endeavour so to do.

Is it your lordship's opinion that the present system of the Indian trade is fully adequate to supply any increased demand for European commodities among the natives that is likely to arise?—Upon my estimate of the wants of the natives, I should certainly think it is.

Examined by the Committee.

During your residence in India, had not the European inhabitants greatly increased?—I should think they must very considerably.

Have the regulations that were in force when your lordship was in India, proved adequate to prevent Europeans residing in the interior of the country from disturbing the peace of the country, or oppressing the native inhabitants?—There were instances when I was in India, of acts of oppression committed by Europeans; and whenever such occurred, and were reported to government, it interfered and punished them. I do not think any regulations would altogether prevent acts of oppression, and acts disturbing the peace of the country, although the repetition of them might be in a great measure prevented by punishing the offenders.

In those instances of oppression to which your lordship refers, had you in your contemplation persons actually in the service of the Company, or persons licensed to reside within the country by their government?—I meant principally persons licensed by the government to reside in the country, as I suppose the question alluded to them, but my answer would equally apply to the Company's servants.

Was there any considerable trade carried on by the Americans when your lordship was in the government in India?—I rather think not; at that period there was a gentleman in Calcutta who called himself an American consul; but I believe that the government did not acknowledge him in that character, although they were disposed to shew him all personal attention.

In the event of a free trade being opened with the principal settlements of India, does not your lordship conceive, that the power of government would be sufficient to prevent those ill effects which your lordship seems to have apprehended from an unrestrained intercourse?—I do not think any regulations of government could altogether prevent acts of injustice or oppression by Europeans in the interior, but that regulations might be so framed as to bring the offender to punishment, in which case some of the evils would be mitigated.

In the houses of natives of wealth, is it not usual to floor their rooms with woollen manufactures of Europe?—I know very little of the interior of the houses of the natives. In some of those in which I had access, which were those of the principal natives only, I believe the floor may have been covered in some instances with broad-cloth, but in general with white cloths, the produce of the country.

Did your lordship find that there was any demand for British manufactures, either by the nabob or people of Oude?—The nabob had amassed a very large quantity of European articles in a house, which was known by the name of the Aina Couch, at Lucknow; but it was considered as a kind of museum for the gratification of a particular propensity of the nabob of Oude. I do not know that his example was imitated by any other of the people at Lucknow.

Was his taste for British manufactures merely confined to the articles that were deposited in his museum in that house?—I believe it was; the articles there principally consisted of watches, clocks, and jewellery of different kinds.

Did he not affect the English costume in his dress?—No, I do not recollect that he did.

Is it your lordship's opinion, that the propositions for changing the East India system tend to establish those territories as colonies?—That is a question which would require more consideration than I am enabled to give to it at present. Upon my view of the subject I do not think it very likely to follow; because I think that the merchants of this country, who have entertained large ideas of the profits to be derived from an unrestricted trade to India, will be disappointed in their expectations; and, that though at first there may be many adventurers, that the number of them, in future, will be greatly limited by the disappointment of their expectations.

Has the Company better means of introducing our manufactures in that country, than private merchants?—If the trade were open, I should suppose private merchants would have equal means with the Company, of introducing articles of this country into India.

Have artisans from Europe established any manufactories in India?—There have been coachmakers, carpenters, shipwrights, watchmakers, and tailors, and perhaps other trades; but I do not recollect any manufactories that have been established by artisans from this country, excepting an experiment for tanning skins, the success of which I do not recollect.

What is the nature of those restrictions and regulations which your lordship conceives might be provided to prevent the influx of Europeans into the interior of India, in the event of the trade being opened?—I suppose that the commanders of vessels importing into India from this country, would be required to go to some port in India; that there they should be required to give an account of their crew, passengers, and every European arriving in India in their vessels, to the government; that when they leave the port they should be required to mention any Europeans who came out in their ships that had been left behind; that no European should be permitted to go into the interior without a passport; that the magistrates (and the regulations might be extended to collectors, and other officers of the government) be ordered to stop Europeans proceeding in the interior without such passports; and that further, for the purpose of ascertaining whether any had obtained access into the interior, notwithstanding these precautions and regulations, that every British subject residing in the interior should be required to give a return of his name, residence, and occupation, once or as much oftener in a year as might be thought necessary, under a general notice; that Europeans failing to comply with the regulations, should be considered as forfeiting any right they had derived from licence or passport, to reside in the interior. Those are the regulations which immediately occur to me.

Does your lordship, upon the whole, conceive the regulations your lordship has now enumerated, would be sufficient to prevent any considerable influx of Europeans into the interior?—I should think in a considerable degree, but not entirely.

During the period of your lordship's acquaintance with India, were any considerable number of Europeans, not subjects of Great Britain, resident in the interior of India?—I should think very few.

You confine your answer to the Company's possessions?—If the question refers to the interior of India beyond the Company's possessions, there were many undoubtedly.

Is your lordship aware of any considerable inconvenience which resulted from the intercourse which must have taken place between persons so circumstanced and the natives of India?—In the court of the Nizam very great inconvenience arose from the influence of the French commanding troops in the service of the Nizam. I think it is probable that the same inconvenience was more or less felt wherever there were Europeans in the employ of the native princes, particularly in times of unfriendly discussion, or hostility between those princes and the Company's government.

Would the regulations to which your lordship has adverted as necessary in the event of a free trade taking place with India, for restraining the intercourse of British subjects with the interior, be effectual for the purpose of preventing disturbance, unless the subjects of other European powers can be effectually excluded from that intercourse?—Those regulations were rather meant to prevent the unlicensed influx of Europeans into the interior of India, than to restrain them when so situated. I should think not, if the subjects of other powers had an unrestrained access into the interior of the country; but I believe that is not the case at present, nor has ever been allowed by the British government, as far as it could prevent it. [Then his lordship withdrew.]

ARTIFICERS' WAGES BILL.] Viscount *Sidmouth* adverted to a Bill on the table, brought from the Commons, for repealing so much of certain Acts in England and Scotland as directed magistrates at the quarter sessions to fix the wages of artificers, artizans, handicraftsmen, and labourers, and observed, that the existence of these Acts had, until lately, been unknown, particularly an Act of queen Elizabeth, which had fallen into desuetude, and the existence of which was unknown to the magistrates, and even to high authorities in the law, as well as to the committee of the House of Commons, which had the subject of wages under their consideration last session. By that Act, magistrates were directed to assemble in every county at the Easter quarter sessions (any one being absent without sufficient cause being liable to a penalty), to fix the rate of wages of artizans, &c. and any person of that description receiving less or

more wages than the rate thus fixed, was liable to imprisonment for 14 days, and any master paying less or more wages to imprisonment for seven days. Had this Act remained in desuetude, there would perhaps have been no necessity to repeal it; but as it had in some instances recently been vexatiously attempted to carry the Act into effect, it became necessary to repeal it. He was satisfied there was no necessity for him to point out to the enlightened minds of their lordships the pernicious consequences which must result from the operation of Acts of this decription, he should therefore merely now move that the Bill be read a second time.

The Bill was read a second time, and committed for to-morrow.

Naval Administration.] Earl *Stanhope*, adverting to the notice given by the earl of Darnley, of a motion relative to the Administration of the Naval Affairs of the country, particularly as connected with what he must consider our unfortunate war with the United States of America, thought it right to move, for the information of the House, for a letter written by himself, to sir Roger Curtis, admiral Domett, and another officer in 1807, with the forty-one questions therein contained, and also a report from captain Lloyd, of the Racoon, and other papers relative to a sailing experiment in 1797, invented by Earl Stanhope.

Viscount *Melville*, being of opinion that no public inconvenience would arise from communicating these documents, had no objection to the motion. The papers were ordered.

HOUSE OF COMMONS.

Tuesday, April 6.

Kent Gaol Bill.] Sir William Geary presented a Petition against the Bill for building a new Gaol, Bridewell, and Court houses for the county of Kent. Sir Edward Knatchbull presented several Petitions in favour of the Bill, in addition to those previously presented, which were signed by nearly 8,000 inhabitants of the county. The order of the day for the second reading of the Bill being read,

Sir *Edward Knatchbull* rose to support it: but he said, as he understood that those who were adverse to the Bill, did not mean to oppose its going into a committee, he should not occupy the time of the House by discussing it at length at present. The object of those who had introduced this measure, was to preserve the county of Kent from an enormous and unnecessary expence in the erection of the new gaol. He did not mean to contend that such a building was not wanted, but he did most strongly object to the enormous sum that it was proposed to levy on the county for that purpose, amounting to between 2 and 300,000*l.*, when he was convinced that 100,000*l.* would be amply sufficient.

Mr. *J. Smith* supported the Bill, but said, he should reserve what he had to say till another stage.

Sir *Egerton Brydges* took this opportunity to object to the principle of the Bill, which he stated to be highly worthy of the attention and jealousy of parliament. It proceeded upon allegations of illegal proceedings on the part of the magistrates of West Kent, which he could not but consider, and trusted he should be able hereafter to prove, to be charges utterly unfounded. The law had reposed in the magistrates the discretion and power which they had exercised: and he trusted that no *ex-post-facto* legislative enactment would undo what under the authority of the law they had done. But could it seriously be believed that the petitioners themselves thought the magistrates had acted illegally? If they did, had they not an easier remedy than application to parliament? The court of King's-bench would, if applied to, have instantly, in that case, stopped the proceedings now complained of. But perhaps the petitioners act in the opinion that the powers entrusted to the magistrates are too great! Let them then, ask that the Act of the 24th of Geo. 3 should be repealed. While that Act remains in force, they surely will not expect that powers which are granted to the magistrates of the rest of the kingdom, should be denied to that of the county of Kent! before they do that, let them shew that these magistrates are unworthy of the trust reposed in them! let them shew that the rich, populous, and enlightened county of Kent, rich in its gentry, as in its yeomanry and inhabitants, cannot or does not, produce magistrates worthy to fill that exalted office! But this is not the only objection to the principle of this Bill. It alters the law of the land in another most important matter. It changes part of the burden which the law has said shall be borne by the occupier, to the shoulders of the landlord. Will the House lightly and without due

examination suffer this important change? Industry, which it is impossible to approve, has been exerted to create the most erroneous impressions regarding this Bill. It has been represented for purposes too obvious, to be a petition of the East Kent bench, against the West Kent bench of magistrates. What a gross misrepresentation is this? It is a petition of the occupiers of land in the county against its magistracy. It is true, indeed, in point of fact, that the measures complained of have been done by the West Kent bench. The petitioners themselves do not complain that the East Kent bench have had any concern in them. Will the magistrates of East Kent be content with this individual acquittal? They must not, they cannot thus be blinded. The principle of this Bill is to bring magistracy into contempt at a time when there is most need of upholding its authority. Whatever the East Kent bench may think as a body (for whom it is not pretended there is authority to answer), Sir Egerton said, that for his own part, as well as for more than one member of the East Kent bench besides himself, he could venture to assert, that this Bill, after the most minute and continued reflection, ought to be both opposed and reprehended. This was not a stage in which it would be proper to object to the details and provisions of the Bill; whenever that period arrived, he felt confident he should be able to shew very powerful grounds of objection to many of its most important clauses, as at once nugatory, injurious and absurd!

Sir *W. Geary* said, that as there was a general disposition to let this Bill go into the committee, he would not oppose it. He contended, however, that the petitioners for the Bill had not acted respectfully towards the magistrates, for they wanted to take out of their hands those powers which the law vested in them. If those persons had come with their complaints to the sessions, they would have met with the fullest attention.

Mr. *Calcraft* said, he was sure there was not the slightest intention on the part of those persons to shew any disrespect to the magistrates; but the fact was, they were in a manner driven to the wall, and they had no other mode of redress left them but the one which they had adopted. He saw nothing in their conduct that was disrespectful or derogatory to the character of the magistrates, and he was sure, that when the House considered the situation in which they were placed, it would not blame them for coming to parliament for redress. As it seemed the general wish not to debate the Bill in that stage, he would not then discuss its merits, but he would ask if it was not monstrous that 18 acres of land should have been purchased for the erection of a prison, and that, for the same purpose, an expence of between 2 and 300,000*l* should be incurred? It might, perhaps, be said, that those who proposed to lay this enormous burthen upon the county had agreed to diminish it to a certain extent, but that was by no means the case; they had, indeed, offered to suspend a part of their plan, but not to abandon it. It had been said that the allegations of the petitioners in favour of the Bill were not founded in truth; that was a harsh expression, but as the Bill was going into a committee, it would soon be seen whether or not they had truth on their side. With respect to what had been said about the petitioners having a legal remedy, he begged to state that that assertion was founded in a mistake, for they were so situated that parliament alone could afford them redress. He concluded with expressing his wish and his hope, that this business might still be adjusted to the satisfaction of all parties.

The Bill was then read a second time and referred to a committee.

PETITION FROM NOTTINGHAM FOR PEACE. Mr. *J. Smith* said, he had a Petition for Peace to present from between 5 and 6 000 inhabitants of Nottingham. He stated that there was at this time in Nottingham a parish of 27,000 persons, one third of whom received parochial relief. The pressure on the remaining inhabitants was consequently great, the poor rates amounting to 25*s.* in the pound. Notwithstanding this distressing state of that town, the petitioners did not wish that unfavourable terms of peace should be acceded to, but they put forth their present prayer because they had seen it avowed in journals, supposed to be under the influence of the ministry, that peace was not to be concluded on any terms with the present ruler of France. This Petition had been adopted with more unanimity than any political measure which he ever remembered in the town in question.

The Petition was then brought up, but the Speaker perceiving that it was printed, said it was contrary to all the rules of the

House that such a Petition could be received. It was accordingly withdrawn.

PALACE COURT—MR. CRUCHLEY'S PETITION AGAINST MR. BURTON MORICE.] Mr. *Brand* rose for the purpose of presenting a Petition from William Cruchley, esq. Deputy Prothonotary of the Marshalsea and Palace Court. This Petition related to a transaction which had come under the consideration of the House last year upon the motion of an hon. gentleman opposite (Mr. Lockhart). Its contents he had read with great attention, and was of opinion that the matters to which it referred were of a nature extremely proper to be brought under the view of parliament; and therefore, in obedience to the wish of the petitioner, who was a constituent of his, he had taken the liberty of presenting it to the House. The subject to which it referred, was the extortion of certain illegal fees in the Palace Court. As, however, the gentleman whose conduct was implicated was not present, or any person for him, he should abstain from any comment on the facts stated, and content himself with giving notice, that, at an early period after the holidays he would submit a motion to the House upon the charges contained in the Petition. He then begged leave to move, that the Petition might be received.

The *Speaker* observed, that it was necessary the grievance of which the Petition complained should be stated.

Mr. *Brand* said, that the grievance complained of was, that Mr. Burton Morice, steward, and one of the judges of the Palace Court, did illegally raise the amount of fees in that court, for the purpose of contributing to his own private emolument, as well as to the emolument of others practising in the said court, which he did contrary to the Acts of Charles 1, and 2, under which the fees of that court were regulated.

Mr. *Wharton* wished to be informed whether the petitioner was personally injured?

Mr. *Brand* answered, that he had been deprived of his situation as Deputy Prothonotary of the court, in consequence of his having remonstrated against this arbitrary and improper regulation.

Mr. *Wharton* suggested the propriety of postponing the consideration of this Petition, as a proceeding at law was now taking place, relative to the suspension of Mr. Cruchley.

Mr. *Brand* said, he was only desirous that the Petition should be received and laid on the table. He should not propose any measure respecting it until after the holidays, by which time the proceedings to which the hon. gentleman had alluded would, in all probability, be brought to a conclusion.

Mr. *Wharton* simply wished to deprecate the agitation of any question in that House, respecting Mr. Cruchley, at a time when a proceeding at law had taken place, in which his character was involved.

The Petition was then brought up, and ordered to lie on the table.

JOINT PAYMASTER OF THE FORCES.] Mr. *Creevey* rose, pursuant to notice, in order to submit a Resolution to the House, having for its object to abolish one of the offices of Joint Paymaster of the Forces, the existence of which he stated to have been declared useless, in the Report of the first committee on Sinecure Offices. The salary of the Paymaster was 2,000*l.* per annum, that of his deputy 500*l.* per annum. The abolition of the office had been declared expedient by the committee adverted to, and he was, he conceived, entitled to say, that the Resolution which he was now about to found on their Report, was perfectly justifiable, inasmuch, as the right hon. Charles Long, whom he now saw in his place, and who was one of the paymasters, having been examined before the committee, had deposed, that the duty of the office could be performed as well by one as by two individuals. Lord Charles Somerset, the other paymaster, had been also examined, and having perused the deposition of Mr. Long, had stated his perfect concurrence in it.—Now he conceived that this was evidence perfectly irresistible. It was argued, indeed, that it was necessary to have two paymasters instead of one, on account of the great responsibility of the person or persons holding the situation; but on the other hand, it might be contended that less risk arose from trusting one individual than two. It again was argued, that no saving could arise from the proposed abolition; but even if this were the case, he should still have an object in view in promoting it; his object was to abolish what he would designate by the name of parliamentary places. He did not conceive what necessity there existed for the presence in that House of a military place-man, no part of whose duty it was to explain the accounts of the army. He

had been advised by a noble lord, some little time since, to await the result of the progress of a Bill then passing through the House, in which the office in question was included. But the noble lord who had given this advice had afterwards voted himself against the Bill. But the Bill, after all, had passed last night. He would now state his reason for attacking, notwithstanding that circumstance, the place which was the object of the motion he was about to make, in the shape of a resolution. He was satisfied that the Bill would not pass into a law. It was much too good a Bill to pass. It went to destroy too much parliamentary influence. There were in all parts of the empire too many good things under the head of sinecure offices, in the enjoyment of which members of parliament would be well pleased to admit of its passing. Now, perhaps, among these, there was none, the existence of which constituted a greater abuse, than that to which he had drawn the attention of the House. He should like to hear, what a man of plain common sense, but not versed in state affairs, would think of it. He could easily suppose that such an one on being informed of the amount of the noble lord's emoluments as joint paymaster without having any duty to perform, would immediately surmise, that it was granted to him as a reward for some signal services performed at Talavera or Salamanca, or some other of these places which had witnessed the triumphs of the British arms. On being assured that such was not the case, that the noble lord had never signalized himself on foreign service, he would conjecture that he had performed some remarkable service at home. O, certainly, it might be replied, the noble lord is appointed to act against the French as commandant of the Sussex district—and of course he has nothing for this! O yes, he has 5*l.* a day, the pay of a general officer, besides very ample allowances. He has, for instance, an allowance for 15 or 16 horses, together with means to keep them so appointed as that they shall be always fit and ready to enable him to scour the country, and give chase to the enemy. The noble lord, it might be added, never did any business in the office from which he received 2,000*l.* per annum. On further inquiries as to the grounds on which so large a salary was given to the noble lord, it might be suggested that he was always to be found in his place in parliament; that he was a member of a great and powerful family in the country, who with their friends, had the power of disposing of many seats in parliament; that they at present happened to hold a set of opinions very similar to those of the existing ministers of the crown; and that these ministers thought the best manner in which they could reward this useful congeniality of sentiment, was by giving to a distinguished member of the family 2,000*l.* a year for doing nothing, together with the command of a district, and 500*l.* a year to his deputy. Upon this just exposition of the case, he would contend, that any reasonable man would without hesitation pronounce that a monstrous abuse existed; and he would think right; he himself was entirely of that opinion, and of opinion that a reform of the above was absolutely necessary. Such abuses were to be done away only by such measures as that he would now propose. The hon. member then moved a Resolution, importing that it appeared right to the House that the office held by lord Charles Somerset should be abolished, inasmuch as the Select Committee on Sinecure Offices in 1810, had recommended the abolition thereof, grounding such recommendation on the evidence of Mr. Long and the noble lord himself.

Mr. *Long* observed, that the hon. gentleman who had moved the Resolution, had not stated any sufficient reason why the opinion of the House on the subject of the abolition of that office should be altered. If in 1810 it had been thought that the office was unnecessary, there were very strong grounds why that opinion should now be changed. A Bill had passed through the House, in which the office was mentioned as one of those which should be abolished; it was, therefore, very strange that after this the hon. gentleman should propose such a resolution. But the reason which he had assigned was, that he was certain that the Bill would not receive the assent of the Lords. The hon. gentleman would have done well, at least, to have waited until he found whether or not this was the case. The hon. gentleman had been pleased to say, that he (Mr. Long) had said that the office was unnecessary, because its duties might be discharged by one person as well as by two. He begged to remind the hon. gentleman that he had never rested his opinion on any such ground. On the contrary, he had stated, that on looking at the state of the office, he had found, that for the last century, its

labour and responsibility had very much increased, and that its salary had never been augmented. Mr. Burke reformed the office, and very properly had taken away from it the custody of public money, at the same time reducing the salary to 4,000*l.* a year. The office had also been considered by a committee appointed to inquire in what offices the salary could be reduced without detriment to the public. On the subject of this office the Committee reported, "that considering the state of the Pay-office, and the pressure of business; considering also that the salary had been reduced by Mr. Burke, it could not be further reduced without detriment to the public service." What had happened since the time of that report? The duties of the office had increased fourfold. Under these circumstances, did the House think that with a view to the public service, the salary of the office could be reduced? Assuredly not. It had been said that he had reported that lord Charles Somerset did none of the duties of the office. This was another mistake; for he had not said that his lordship did none, but that he did not do much of the duties of the office. No important step was ever taken without consulting him. And all that part of the duty which related to Chelsea hospital, and which was by no means inconsiderable, his lordship took upon himself; and it was but justice to state, that he had always of himself proposed to take charge of any of the duties of the office which might be thought necessary. He did not conceive that the House could agree in opinion with the hon. gentleman, while the office which it proposed to abolish was included in a large plan. The hon. gentleman had said, that he did not wish that the office should be abolished, so much on account of the salary, as because it was a parliamentary office. He would wish that the hon. gentleman would say how many parliamentary offices he would wish to exist, and that he would bring forward a motion for the abolition of those which he might think unnecessary. For his own part, he thought that the Bill which had passed through that House, and which included the office in question, could not serve any good purpose; for it had long ago been given up as a measure of economy. He would ask the hon. gentleman whether it was not said out of doors that the abolition of sinecure offices would be the means of saving a great deal of public money, and of course afford additional resources for supporting the war? This certainly was an opinion which was very prevalent among certain classes, and it was encouraged by the supporters of the Bill, although it was a gross deception; because the object of the Bill was to establish another system, namely, that of substituting pensions for sinecure places, which would cause considerable additional expence to the public. No man could approve of the plan of Burke and Pitt on this subject more than he did; but the Bill went on principles totally different. The proper remedy would be revise sinecure offices, and to abolish those that might be thought unnecessary. This had the sanction of Mr. Burke, who had declared that sinecures were to be preferred to pensions. It would be absurd (to call it by no other name), to agree to the motion of the hon. gentleman, while there was a Bill going to the other House, in which the office in question was included.

Mr. *Western* said, he could not conceive how the House could refuse the motion of his hon. friend, when they recollected that a committee, selected by themselves, had declared useless the offices to the abolition of which it went. That motion, he thought, had derived considerable support from the speech of the right hon. gentleman who had spoken last. He had admitted that he had given it as his opinion in evidence, that the continuance of the office was unnecessary; and had, moreover, exhibited great jealousy of all interference on the part of his colleague in office. He had insisted, indeed, on the inexpediency of diminishing the salary attached to the office; this he was not disposed to deny, but this was a point quite distinct from that which his hon. friend had in view. He did not see any ground upon which the House could refuse to adopt the resolution proposed: they ought to agree to it in justice to their committee; and if they did not, he could only say that the labour of select committees, generally speaking, was a mere mockery, when their Reports were liable to be thus slighted, after they had been engaged in toilsome and laborious enquiries with respect to subjects on which the feelings of the country were deeply engaged. For his part he felt extremely grateful to his hon friend for having brought the subject before the House; and he conceived that the measure he had recommended was one which the House ought to adopt with respect to matters coming under their cognizance, whenever

they found that any other, designed to remedy an evil, was not of sufficient efficacy.

Mr. *Calcraft* opposed the motion of his hon. friend, contending, that the Bill which had been passed the other night and sent to the Lords, contained a schedule of offices to be abolished, among which was that to which the Resolution of his hon. friend applied. He did not pretend to the foresight of his hon. friend. He could not predict what the Lords would do with that Bill. He was willing to give their lordships credit for a disposition to act right with respect to it; and under this impression he felt bound to leave the question in the course into which the House had thought proper to put it.

Mr. *Huskisson* also declared himself to be inimical to the proposed Resolution, as involving the principle that the House of Commons should legislate with a view to the abolition of the office in question, or of any other office, without the concurrence of the House of Lords. To agree to such a Resolution would in his opinion be to establish a precedent that might be very injurious in its consequences. He saw no reason for asserting that the Lords would not adopt the Sinecure Bill. To agree to the Resolution would be to furnish any noble lord who might be in hostility to that Bill, with the argument that the proceeding of the House of Commons, in sending the Bill up to them, was a mockery, as before the discussion of the measure in the upper House, the House of Commons proceeded to legislate for the abolition of an office, the abolition of which was provided for in the Bill itself. If the present Resolution were agreed to, why might not other Resolutions be proposed, for addressing the crown to abolish the other objectionable offices? And yet so to proceed, would be for the House of Commons to take the whole power of the state into their own hands. As to the particular office itself, the opinion which he had recently delivered upon it had been only confirmed by the speech of his right hon. friend on the same side of the House (Mr. Long.) He trusted that the two paymasterships would be consolidated, and that the two existing salaries would be given to one efficient and responsible officer. Reverting to the Sinecure Bill, he maintained that it was a measure of economy. As a measure of economy it had been recommended by the committee of that House—as a measure of economy it had received his cordial support.

Mr. *Whitbread* would not follow the example of several hon. gentlemen by saying any thing on the merits of the departed Bill, which had certainly undergone sufficient discussion during its progress through that House. He confessed, however, that he was one of those who despaired of its success in another place. If it should be agreed to there, he owned that it would be to him an agreeable surprise. The House had heard several admissions from the right hon. gentleman opposite, and he (Mr. W.) was willing to make several admissions in return. He admitted that there could not be a more acute individual than the noble person who was the co-adjutor of the right hon. gentleman. He admitted that the salary attached to the office was not inordinate. But, on the other hand, the right hon. gentleman must admit, that the original office had been split for the mere purpose of parliamentary influence. He gave the right hon. gentleman great credit for his official exertions, and particularly for the economical reform which he had introduced into his department of the public business; but the needlessness of two offices was apparent, from the declaration of the right hon. gentleman, that having by his side an individual of co-ordinate authority, of great discretion and discernment, and an exceedingly able calculator, he would not permit him to interfere in the arrangements he had thought necessary to make. He by no means thought with the hon. gentleman who had just spoken, that it was improper for the House of Commons, in extreme cases, to interfere by way of address to the throne; he was of opinion, that if the Sinecure Bill should be thrown out of the House of Lords, the House ought to address the throne against the office in question, not merely on the score of economy, but on account of the parliamentary influence for which it had been created; for nothing could be more evident than that in proportion to the extent of that influence on the part of the crown, must be the diminution of the guardianship of that House over the public purse. He wished his hon. friend, however, to give his motion a fairer chance of success than it could at present experience. If it were that night negatived, it could not be repeated during the present session. He recommended to his hon. friend, therefore, not to throw away his shot, but to withdraw his motion for the present; thereby leaving to himself the

power, in the event of the rejection of the Sinecure Bill by the Lords, to bring the subject again under the consideration of the House of Commons before the close of the session.

Mr. *Huskisson*, in explanation, denied that he had ever said that in no case whatever would it be proper for the House of Commons to interfere by an address to the throne.

Mr. *Creevey* declared himself perfectly ready to acquiesce in the suggestion of his hon. friend to withdraw his motion. He should watch the progress of the Sinecure Bill in the other House, and should his predictions with respect to it be verified, he would repeat his present motion.

The motion was then withdrawn.

Mr. Lockhart's Motion respecting the Laws relative to Bankrupts.] Mr. *Lockhart* rose, in pursuance of his motion, to call the attention of the House to the consideration of the Bankrupt Laws. He observed, that he had deferred his motion from time to time in order to give an opportunity for a more deliberate reflection on the subject, and for the production of the returns which were now on the table; all which tended to confirm in his mind the necessity of some alteration both in the system itself, and in the administration of it. Although in the course of his remarks he might find it expedient to advert to several acts of parliament on the subject, he hoped that it would not be necessary for him to occupy the time of the House at any considerable length.

Our ancestors in the establishment of the bankrupt laws, and in the provision which they had made for the administration of those laws, conceived that they had devised the most effectual means of depriving the bankrupt of all his property and of distributing it among his creditors. They had not foreseen that the day would come when those laws and that administration would turn out to be so beneficial to the bankrupt that bankruptcies would no longer be avoided, as in their time, but be sought with avidity. They had constructed a great system of insolvent law, without those checks and guards which were indispensable against abuse. In support of his opinion on the subject he quoted a passage from Blackstone, the substance of which was "that the existing system of bankrupt laws encouraged prodigality and extravagance, for that the most prodigal and extravagant persons received the greatest benefit from those statutes, they being unaccompanied by proper conditions." What were the conditions annexed to these statutes, as those by which a bankrupt's certificate was to be obtained? On his last examination before the commissioners the bankrupt was to disclose how he had disposed of his effects. If he made what appeared to be a true statement of what he had done with that part which was gone, and gave up the remainder, the law said that three-fourths of his creditors in number and value consenting, and the lord chancellor allowing, the bankrupt should be discharged from all his demands, not only on his personal estate but on his person. There certainly were other statutes in existence, for instance there was a statute existing, that if a bankrupt could be proved to have gambled in the funds or at any game to a certain extent, or to have given a portion of 100*l.* to a daughter, he should not be allowed his certificate. But this and similar statutes had long been obsolete.

As the practice of the law now existed, a bankrupt might be a person who had begun business without any capital, who had obtained credit on false pretences, who had led a life of perpetual falshood, who had despoiled confiding individuals of their whole property, who had conducted himself in the most profligate and extravagant manner, and who nevertheless, if he could obtain the consent of three-fourths of his creditors in number and value, could notwithstanding all his enormities, avail himself at a small expence of the benefits of the statutes without any other check whatever. This absence of a sufficient guard, did, unquestionably, operate as a great encouragement to dishonest proceedings. It did also manifest injustice to an honest bankrupt. Far was it from him to condemn commercial enterprize, founded on fair and probable expectations. But an extravagant and profligate individual, whose life had been one scene of fraud and dishonesty, ought not to receive the same reward of exemption as the fair and open, but unfortunate trader. The existing system compelled the public to view every bankrupt with the eye of suspicion. But it was grievously unjust that the honest and the dishonest should thus endure a common and indiscriminating reproach. To such an evil it was fitting that a remedy should be pointed out.

In order to consider what should be the

nature of this remedy the House ought first to look at the examination of the bankrupt. What was the examination that the law now required? The person claiming a certificate had merely to discover and surrender his remaining property. This was insufficient. The commissioners ought to be told how the bankrupt obtained credit, with what capital he had commenced business, whether he had preyed on the property of others, how he himself had lived. If it should be discovered that his conduct had for a series of years been reprehensible, in these respects, he ought not to be entitled to his certificate; nor should he be permitted to have any allowance. But on the other hand, if the commissioners found that the bankrupt had failed in consequence of a fair and honest commercial enterprise, then not only should his certificate be granted him, but his allowance should be increased as a testimony to his good behaviour.—There was in existence an obsolete statute—the 19th of James 1, section the 7th, by which it was enacted that if any bankrupt could not make it appear to the commissioners that he had sustained some casual loss, which he had been unable to foresee or guard against, he might be indicted for his conduct at the assizes or general sessions, and if convicted, sentenced to stand in the pillory for two hours. The severity of this law had defeated its object. But it by no means followed that because this statute, from its severity, had never been acted upon, and had become wholly obselete, that there ought not to be any punishment for improper conduct. It would require a great deal of consideration to determine who ought to be the judges of the bankrupt's conduct. He himself entertained very serious doubts as to the creditors being the fit judges. In his opinion, it would be infinitely better that the commissioners should decide whether or not the bankrupt ought to have his certificate; for in the other case, many innocent individuals might be deprived of their certificates by the irritation of their creditors, and many guilty individuals obtain their certificates by the partiality of their creditors. Justice in this respect, as well as in every other, ought to be administered on a fair and immutable principle; and the administrators ought to be influenced by no motive but a consideration of what was due to the parties and to the public.

Bankruptcy frauds had been rapidly increasing from the time of lord chancellor Apsley, who, in the year 1774, issued an order to the commissioners carefully to examine the reality of the debts attempted to be proved before them, stating that many commissions were taken out with the sole view of fraudulently deceiving the creditors. These evils arose from the bankrupt law—a law which disagreed from the law of the land—which disagreed from every other law of insolvency—which disagreed from the principle of the Insolvent Bill on the table. If this last should pass, there would be two great insolvent laws in the country, acting in direct contradiction to each other. By the present system, bankruptcy was not compulsory but elective. A trader wishing to become a bankrupt, had only to get together a few friends, under the name of petitioning creditors, and, at the expence of 60 or 70*l.* he might procure a commission of bankruptcy to be sued out against him. This was an evil rapidly increasing. Connivances, and frauds of every kind, debts attempted to be proved which had never before been heard of, &c. were perpetually occurring. In illustration of this opinion the hon. gentleman read a passage from the opening speech of Mr. Gurney on the celebrated trial of the Folkards; the assertions in which passage he declared to be in his opinion strictly founded in truth.

Under all these circumstances it appeared to him to be extremely necessary to revise the system of bankrupt law, and —which brought him to his second head —to revise the administration of that system. He was happy to see in the House honourable gentlemen who were themselves commissioners, and who he hoped would declare whether the evils of the system and of the administration of it required remedy, or whether it was the best possible system, and the best possible administration that could be devised, equally incapable of any amendment. Far was from him the intention of throwing any stigma or imputation on the character of the commissioners, with many of whom he was in habits of personal intimacy, and for all of whom he entertained those sentiments of respect which their talents, learning, and integrity inspired. But this he would state—that from the vast accumulation of bankrupt business, it was utterly impossible for seventy persons, forming fourteen lists of commissioners, to get through it properly, unless new regula-

tions were made for the purpose of compelling the execution of commissions in such a manner as by a strict examination into the circumstances of every individual case, should prevent the possibility of fraud being successfully practised by the bankrupt. To elucidate this part of the subject, he had moved for several returns which had been, in consequence, laid on the table, and which had been, by his motion, limited to the space of one month, as affording the fairest means of forming a judgment on the case. These returns he held in his hands, and the first thing that struck him in them was, that the commissioners executed commissions only on two days in the week—that was, they did a main duty of their office on those two days alone. It was impossible, therefore, considering the vast recent increase of business, that they could accomplish it in those two days, especially when it was considered that they sat only from eleven to one, or, as he was told it was to be understood, from twelve to two. It appeared by the returns, that in some instances the gentlemen on one list had to execute twelve or thirteen commissions in that short period of three or four hours. He appealed to the House whether it was possible that under such circumstances the commissioners could strictly perform all the complicated duties of the office? It was true that some bankruptcy cases were of a trifling nature, but others were highly important, and demanded the most serious and deliberate attention. One of the principal duties of the commissioners was to watch the proof of debts. For owing to the increase of dishonest bankruptcies, and the great press of business, it frequently happened that debts never due had been attempted to be proved by persons who had never before been heard of. If so many cases were disposed of in one morning, how was it possible for the commissioners to attend with sufficient vigilance to the accuracy of every particular proof?—If any hon. member who heard him would take the trouble to go to Guildhall, he would also observe a total absence of solemnity in the proceedings before the commissioners. The bankrupt, the creditors, the witnesses, and the individuals connected with the administration of the law, were all huddled together, without any distinction of persons; and the bankrupt was not expected to feel that just sense of shame, which it was extremely fit that all individuals in that situation should feel, and the apprehension of which would operate powerfully on many minds to stimulate them to such exertions as might save them from being subject to it. There was nothing, however, of all this. The bankrupt sat by the side of the judge, in perfect familiarity one with another. There was not even any distinction of dress. In his opinion the commissioners ought to wear their professional habiliments as one means of imparting more gravity and solemnity to the scene. It was in the power of the Lord Chancellor to declare that the commissioners should sit on every day in the week, and not on two days only. The Lord Chancellor might also prevent that which frequently happened—if it were otherwise, the hon. and learned gentlemen present would contradict him—namely, more commissions than one being executed at one and the same moment. Was it not true, he asked, that many commissions were executed at once? Was it not true that the examination of a bankrupt was carried on by one set of commissioners, and the proof of debts by another at the same moment? Was it not true that the multifarious operations attendant upon a commission were proceeding at the same hour, or in the same class of hours? If all this was true, it ought to be remedied. For however trivial the incidents, no court of justice could by possibility be trying the merits of two causes at once with any expectation of a fair and impartial determination.

Another objection to the existing administration of the bankrupt laws was, that the commissioners were paid by the number of commissions which they executed. It was most unwise to remunerate a judge in such a manner that he was compelled to compress a great deal of business into a very short space of time, in order to reward himself sufficiently. Such a practice induced every kind of irregularity and absence of attention; and frauds thus proceeded, not only from the bad system of the laws, but from the imperfect administration of them. At present the fees were too small. Three pounds divided among five persons of talent and learning was not an adequate compensation for their labours. Let workmen be well paid, and it might then be justly expected that the work should be well done.

So much for the evil. It was not his intention at present to propose any explicit remedy. He might, it was true, move for the introduction of some reme-

dial Bill on the subject. It really, however, would be imposing too heavy a burden upon him to load him with the endeavour to effect such material alterations as those which were suggested in the whole system of the bankrupt law and its administration. But he knew that there were hon. and learned members of that House who were eminently qualified to afford great assistance towards the attainment of this most desirable object. He should, therefore, abstain, in the motion with which he should conclude the speech which the House had so indulgently heard, from proposing any immediate remedy; but, having stated what he conceived to be the evil, and hoping to hear explanations on the subject from hon. and learned gentlemen who were necessarily more conversant with the facts than himself, he should content himself with moving a resolution—"That this House will, in this session, take into consideration the acts of parliament relative to bankrupts, and also the administration of those laws."

The motion was agreed to.

Sir John Newport's Motion respecting the Light House Duties.] Sir *John Newport* said, that the question which he was about to bring under the consideration of the House involved a great constitutional principle. In the year 1808, the government thought proper to take certain duties, and apply them to the support of the Light-houses on the coast of Ireland; and in 1811, a duty of 1*d.* per ton was imposed on all vessels passing those Light-houses, for similar purposes. At the time of the impost he thought that duty much too great; the majority of the House differed from him; but that he was right afterwards appeared, as the House in the following session found it necessary to reduce that duty from one penny to one farthing per ton. On the 22d of April, 1812, the parliament then sitting, an order was issued from the Treasury suspending the collection of the duty altogether, until the collectors should receive further orders from the Treasury board. This was the violation of which he complained; and, however admissible it might be to issue an order of Treasury on any great and pressing occasion when the parliament was not sitting, he thought it was altogether unconstitutional to issue such an order while it was sitting and ready to legislate. It was usual, in such cases, to come to the House for indemnity for such acts, even if sanctioned by necessity; but in the present case no indemnity had been asked for, nor had any notice been taken of the circumstance, until the 19th of June, 1812, some days after the order had been laid on the table of that House. It might be said, that the duty was enormously disproportionate to its object—and it appeared that the collectors had anticipated the Treasury order, for in the port of London not one shilling had ever been collected under either of the Acts; and in other ports of England and Wales, the collection had been irregular, and oftentimes neglected. He did not see how the amount of the duty could justify the order, which was a direct violation of an act of parliament. In all the ports of England and Wales, 5,292*l.* had been collected, and of that little more than 1,000*l.* had been remitted to the commissioners of the Irish Light-houses. It was worthy of remark, that the duties had been collected in Ireland even while the collection of them was suspended in Great Britain; and though in Liverpool 2,000*l.* had been collected, no part of it had been remitted to Ireland; for this the right hon. baronet could not account. He had looked into the Bill for reducing the duty, but he found no clause respecting indemnity for the Act to which he had alluded, and therefore he would move the four following Resolutions:

1. "That, by the 51 Geo. 3, cap. 66, certain tonnage duties were imposed on all shipping passing the light houses on the coasts of Ireland, and directed to be collected and paid over by the several collectors of the customs in the ports of the United Kingdom to the board entrusted by the 50 Geo. 3, cap. 95, with the erection and maintenance of light houses on the coasts of Ireland; and the said collectors and other officers were forbidden to admit any ship or vessel to entry in the said ports until they had received such duties from such ship or vessel, which rate of duty was varied by the 52 Geo. 3, cap. 115, and then directed to be collected and paid over in like manner. 2. That it appears, from a return now before the House, that no duties whatever have been collected under the provisions of either of these Acts in the port of London, and that, in most of the other ports of England and Wales, the collection thereof has been most strikingly defective and irregular, and of the sum of 5,292*l.* so collected, no more than 1,084*l.* has been paid over to

the board entrusted with the care of the said light houses, who have continued to receive the tonnage duties in the several ports of Ireland without interruption. 3. That the Board of Treasury did, by an order dated 22d April 1812, signed by three lords, direct all officers of the customs in Great Britain to suspend and desist from the collection of the duties so imposed by the authority of parliament until further orders, and did not communicate the said order, or make any application to parliament then sitting at the time of issuing such order respecting the same until several weeks after the date thereof. 4. That this House views with extreme surprise and regret this assumption of authority, in contravention of law, by the Board of Treasury, and this neglect of duty by the officers of the custom department of England."

Mr. *Wharton* regretted that the loss of the late Mr. Perceval prevented a full elucidation of the subject; but he would briefly state the circumstances of the transaction. The duty was found to be a great grievance to the shipping interest, and he, in consequence, received an order from the first lord of the Treasury to suspend it, until a Bill could be brought into parliament to reduce it. That Bill, it was true, was not brought in till June, but he understood it was delayed in consequence of some discussions with the ballast board of Ireland. With respect to the second charge, against the collectors of the customs in the several ports of England, a fundamental mistake pervaded the whole of the right hon. baronet's speech, and was even visible in his motion, arising from a partial view of the Act of the 51st of his Majesty. The right hon. baronet had read three lines of the 7th section of that Act, but he had not recited the 4th line, which omission had caused the misconception in his mind. The section to which he referred, said, "And be it further enacted, that the several duties payable by ships or vessels passing the said light-houses, or the floating-light, on the Kish-bank, on the south-side of the port of Dublin, shall be collected by the different port-collectors, or other persons, appointed by the corporation of the ballast-board." In what situation, then, were the collectors placed? On the passing of this Act, copies of it were sent to the different ports; but, from the clause which he had just read, the collectors could not know whether they were the parties who should collect the duty or not, as it was an alternative whether those commissioners should receive the toll, or whether other persons should not be authorised for that purpose by the ballast-board, more properly denominated the corporation for improving the harbour of Dublin. Those gentlemen never signified to the collectors, whether they, or other persons to be by them appointed, should receive those duties. To some of the collectors, the corporation had transmitted maps of the coast of Ireland, with instructions as to the description of ships which would be subject to the duty, and calling on them to collect it; but such maps were not sent to all the collectors. What mistake had taken place, in consequence, he could not say; but much of the error must be attributed to the conduct of the ballast-board. None of those maps were transmitted to the port of London, where, it was evident, a great proportion of the duty would be collected. He would also draw the attention of the right hon. baronet to the 2d section of the 51st of the King, which set forth "that from and after the time when a floating-light should be placed on the Kish-bank, on the south side of the port of Dublin, certain other duties shall be collected." Now, was it possible, he would ask, for the collectors of the customs in England or Scotland, to know, by mere intuition, when this floating-light was placed on the Kish-bank, and when, in consequence, the additional duties were to be received? If they were not apprised of this, it was impossible for them to know what they were to demand. Therefore, the right hon. baronet was not justified in throwing blame on the collectors of the customs in England for negligence; which, if it did exist, was occasioned by the supineness of the ballast board, whose cause he advocated. They were the parties from whom instruction was to be derived on the subject, and, by going to sleep on the business, they left the collectors in such a situation, as prevented them from deciding whether they should proceed under the act of parliament or not. After June, 1811, when maps were sent to some of the ports, the ballast-board, for 10 or 11 months, took no farther steps in the business. The right hon. baronet had observed, that a very small part of the sum of 5,292*l.* collected under the Act, had been remitted to Ireland. Now, this was not wonderful, for no person had been appointed to receive it. The ballast-board at length found that some of the links of

their chain were defective, and they commissioned a person of the name of Darley to receive the sums collected. He, therefore, saw no reason whatever for attaching blame to the collectors; and, as to the conduct pursued by the Treasury Board, he was sure that the motives of his deceased friend were good; and, had they been impeached in that House, in his life-time, he would have been fully capable of justifying himself.

Mr. *Peel* said, that the conduct pursued by the Treasury Board, prior to the passing of the Act of last session, was, in fact, a benefit done to the trade of this country. The Act of 1812 found the light-house duties so high, that it was deemed necessary, by the operation of that Act, to lower them three fourths; and at the very time his late right hon. friend (Mr. Perceval) gave the order to suspend the payment of the duties, a measure was in contemplation to reduce them. The hon. gentleman then shortly defended the conduct of the ballast-board from the observations made by the preceding speaker, and proceeded to argue, that, when parliament, by the Act of 1812, provided that three-fourths of the duty paid by any vessel, after a certain day, under the Act of 1811, should be returned, when they had not merely recognised the exorbitance of the duties, but had absolutely framed an *ex post facto* law, to correct the evils which the former Act had occasioned—the right hon. baronet could not suppose, that it would have been right to direct the collection of the duties to have continued.

Lord *Castlereagh* said, if the right hon. baronet was determined to persist in his motion, he should feel it his duty to move the previous question. After the full explanation which the transaction had received, the House, he was sure, could not conceive a circumstance which less required the interference of parliament than the present. When so much difficulty and intricacy appeared in the mode of carrying the Act into execution, he did not think the House would be willing to visit very severely those officers, who really did not appear to have received instructions by which they might be directed. He would not support a doctrine so unconstitutional, as that the Treasury Board had a right to interpose to prevent the provisions of an Act of Parliament being carried into effect, except on occasions of extraordinary importance; but when the exposition of the reasons by which they were influenced was so satisfactory, as in the present instance, he thought sufficient was stated for their justification. He should have no objection to a Bill of Indemnity being brought in, to obliterate those ministerial inaccuracies, but he could by no means agree to the right hon. baronet's proposition.

Mr. *W. Fitzgerald* observed, that the Act of 1812, had its operation from the day preceding that on which the order was issued; and therefore was intended to legalise that order.

Mr. *O'Hara* supported the motion.

Sir *J. Newport* said, that he had not made any mistake, as was stated by the right hon. gentleman opposite (Mr. Wharton) in consequence of having only read three lines of the seventh section of the Act; and he requested the right hon. gentleman to go a little farther even than the fourth line, and he would find that a duty was imposed on the collectors by that Act, which they had no right to shift from themselves. The Act recited, "that they shall not, after the commencement of said duty, permit any ship or vessel to enter their respective ports, till the said duty shall have been paid." The Act said, that either the collectors or some other persons should receive a duty, and that they should not admit any vessel to an entry until it was paid. The inference therefore was, that it became the duty of the collector to enquire whether any other person was ordered to collect this toll; and, if not, that he himself should collect it. The hon. gentleman opposite (Mr. Peel) had observed, that the Act of the 52d of the King recognized the greatness of the duties which were imposed by the 51st. He was aware of that; he knew they were enormous. He stated the same thing in 1811; and he believed the House would recollect, he then told them, that they were passing that which would be found more than commensurate to the object. Still, however, it was the law; and, in his opinion, no member of that House should come forward and state, that the Act was not carried into execution, because its provisions were too extensive. Were they in a British House of Commons, or were they not? If they were, how could a member of that House, and a confidential servant of the crown, stand forth and tell them, that the duties to be levied under an act of parliament were enormous, and therefore had not been collected? On the subject of a Bill of Indemnity, he recollected enquiring, when this subject was

before mentioned, whether the noble lord (Castlereagh) intended to bring in a Bill to indemnify the Treasury Board, for what he must call their misconduct. The noble lord, it was true, had, on the present occasion, merely spoken of ministerial inaccuracies; but those inaccuracies were nothing less than doing away with the law of the land. It might be supposed, because those duties were legally applicable in Ireland, and must be principally paid in the ports of Great Britain, that there was less necessity for a regular collection of them, as they would be appropriated to an Irish object. He would only say, that, as they were applicable by law, it was incumbent on the officers of his Majesty's government to see them properly collected. At the same time, he denied, that those sums were only applicable to Irish purposes. Was it merely an Irish object to preserve the light-houses in St. George's Channel? Or was the safety of the trade to Liverpool or Lancaster only an Irish object? His great object in making this motion was, to prevent persons from exercising an arbitrary right to alter the laws, by which James 2 lost his crown. He was determined to persist in his motion; but, if the three first Resolutions were suffered to stand, he was willing to allow the third to be modified. He had no objection to the introduction of a Bill of Indemnity; but he had an insuperable objection to suffer great constitutional errors to pass, without being marked by the reprobation of the House. The death of the late Mr. Perceval was assigned as a reason for not bringing the matter sooner under the cognizance of parliament. Now, after that melancholy and ever-to-be-lamented event, three weeks elapsed before any notice was taken of the business. Why did not the Board of Treasury, during that period, come down to the House, and state that an arrangement was on foot to remedy the evil, and pray for their concurrence in suspending, for a time, the collection of those duties? But no notice was taken of the circumstance till the 19th of June, and the subject was then introduced in consequence of what he (sir John) said on the preceding day.

The three first Resolutions were then put and negatived without a division. On the fourth being put, and a loud cry of "No," coming from the ministerial side of the House,

Sir *J. Newport* expressed a wish to divide the House, observing, "Then, I suppose, the noble lord does not consider the violation of an act of parliament by the Treasury Board a matter of surprise or regret." He did not, however, persist, and the Resolution was also negatived.

HOUSE OF COMMONS.

Wednesday, April 7.

Minutes of Evidence taken before the Committee of the whole House of Commons on the East India Company's Affairs (*Continued.*)] The House having again resolved itself into a Committee of the whole House on the Affairs of the East India Company, Mr. Lushington in the Chair,

Lieut.-Colonel Sir John Malcolm was again called in, and further examined by the Committee, as follows:

You are understood to have said, that the natives of India residing at Calcutta, Madras, and Bombay, have, from their intercourse with the Europeans, relaxed a good deal in their prejudices, and that, in consequence, several articles of European manufacture are in use amongst them?—I did not mean by 'prejudices' that they had relaxed in any religious prejudices, but that more of the natives of the presidencies were in the habit of using European articles, than of the natives in the provinces.

Can you form any idea of the numbers of the native population at Calcutta?—I have heard it stated from 400,000 up to 600,000, but I have no means of forming a correct idea; but in stating that more of the natives of the presidencies than of the provinces have used European articles, I meant the wealthy natives; the remark did not at all apply to the mass of the population.

Can you give a general estimate what the native population at Bombay is?—I should think the population of the whole island of Bombay, which may be almost called one settlement, not very much inferior, taking in the whole island, to what Calcutta is, but I really have not, at present, any recollection that can lead me within one or two hundred thousand persons.

In the treaties between the powers of India and the British government, is there not an express stipulation by which the native powers engage not to permit the residence of unlicensed Europeans in their respective states, without the consent of

the British government?—I believe there is such an article in most of the treaties.

Are there any prejudices, either civil or religious, amongst Persians, that would render the introduction of European articles impracticable?—Certainly not.

Are the Persians partial to European fire-arms?—The Persian government was very solicitous to obtain both cannon and fire-arms from the English government; and the individual nobles of the military class in Persia, were, as far as I could judge, very desirous of having our pistols; but I never knew them anxious to have those upon any other terms but that of receiving them for nothing; and they, in general, used a cheaper manufacture, arms made in Turkey and in their own country: I believe their objection to purchasing our fire-arms, was their price, I mean particularly English pistols.

Are woollens in use in Persia?—They are.

Do you know by what channel they get into Persia?—They are imported by the Persian Gulf to the port of Bushire, and sent from that port all over Persia; they also receive woollens by the Caspian Sea from Astracan.

You have just stated, the Persians have no sort of prejudices, and that European articles of all sorts are indiscriminately admitted into Persia; do not you imagine that if wines or liquors were to be landed, they would not be permitted to be imported into Persia?—I said that the Persians had no kind of prejudices, as far as I had seen, that would render it impracticable to import any European articles; wine or other liquors are certainly contrary to the Mahomedan religion; and I have never heard, by any accident, of any person trying to import them as an article of trade; but, as such, they might no doubt be objected to.

Did you never know or hear of Europeans finding their way to the different courts, and being engaged in the military service?—Numbers; both French and English.

Do not you suppose that if the trade of India was allowed indiscriminately to ships manned with Europeans, all along the peninsula coast of India, and not restricted to the principal settlements, such as Bombay, Madras, and Bengal, that there would be a facility given for European adventurers quitting the ships and finding their way into the interior of India, notwithstanding every precaution of government?—The extent of coast to which such ships were allowed indiscriminately to resort, would no doubt greatly increase the difficulty of preventing their penetrating into the interior.

If the export trade from this country was to be restricted, so far as relates to the peninsula continent of India, to the principal settlements such as Bombay, Madras, and Calcutta, do not you think in such case that it might be very difficult for Europeans, by quitting their ships, to enter into the interior of the country?—Most certainly.

Then do you think it would be a very wise measure, for the security of the government of India, and also for regulating the trade to India, and preventing small arms, gun-powder, and other warlike stores being furnished to the different native powers who may be inimical to the interests of this country, to restrict the trade in European ships to the principal settlements?—As far as I have had an opportunity of judging the effect of the intercourse of Europeans with the natives, as well as attempt at contraband trade in arms or other things, I think that there cannot be too severe restrictions established; and that in case of any increased number of Europeans being admitted to India, those restrictions ought to be rendered if possible still more strict and severe.

Are there not many merchants, natives, parsees, and British, who are ready, and who do endeavour to push the sale of British manufactures up the gulf of Persia, and to convey whatever articles they think will be acceptable there?—There are, no doubt, in every one of the principal settlements of British India, and at most of the principal towns, both European and native merchants, who are active, industrious and enterprising, and who trade in every quarter where they consider they can derive benefit, in all articles, both European and Indian, that are in the markets of those places.

Are there sales by auction of numbers of British articles at all our principal settlements?—There are, and at Calcutta particularly, to a very great extent.

Are there not many places on the Malabar and Coromandel coast accessible to ships, exclusive of the places where officers under the direction of the Company are stationed?—I believe there are many parts of the coast of Malabar and Coromandel where ships might touch, where there is no European magistrate.

Might not, through such places, a number of adventurers get into the interior of the country, under the general licence that all ships from England should have free access to all parts of India?—In all parts of the British dominions there is a police established, and though no European magistrate may be upon the spot, that police would, I should conceive, in most cases, be able to prevent such Europeans penetrating into the country.

What would be the effect on the general character, respectability, and efficiency of the Company's army, if the regiments of European infantry in the Company's service were to be reduced, and if the Company's infantry were to consist of natives alone?—I think that the character and feelings of the officers of the Company's army have been injured by a former reduction of the European part of the establishment, and that that injury to their feelings and to their character and respectability would be added to, and indeed completed, by the reduction of the remainder; and that a more serious injury could not be inflicted, than one which added to a distinction which has often produced jealousy, I mean King's and Company's, that of European and native.—The effect which I have described, would be most felt certainly by the officers of the native infantry.—Any measure which tended in any shape or way to lower the character and diminish the respectability of European officers with themselves, must in course be gradually communicated to the men under their command.

Would any advantage result to the public service if the Company's establishment of European troops, cavalry as well as infantry, was on such a scale as to admit of the officers, on first entering into the army, being attached for a certain period of time to an European regiment, previously to their being permitted to join the native corps; and was it not formerly invariably the practice of the service, for officers to be appointed to European regiments, on their arrival in India?—Certainly there would be great advantage: I know no measure that has tended more to affect the temper of our native troops than the introduction of young officers, unacquainted with their languages and prejujudices: the governments of the different presidencies in India have felt this so much, that they have endeavoured, by the establishment of military seminaries, to avoid its inconveniences; but all these have, I believe, failed from a want of discipline, and indeed the great difficulty, in a country like India, of keeping a number of young officers assembled together in order; such would not only be kept in order in European corps, but be instructed in many most essential points of discipline.

Besides those advantages, would it not tend to remove the prejudice against the natives, which many persons, more particularly young men, entertain on their arrival in India, and thereby better qualify the officers who had been in an European regiment for the command of native troops?—Certainly the longer persons remain in India, the more generally speaking, their prejudices against the natives wear away; the officers so appointed would not be so likely to give offence to the prejudices of their men, as if they had been nominated to an European regiment on their first arrival; but I am not sure that I distinctly understand this question.

By being for a certain time in an European regiment, does not an officer get rid of his prejudices before he is sent to command native troops?—Most certainly, in most cases this would be the case.

Would it be advantageous in a military point of view, as well as with a view to economy, to have the regiments of Europeans in India completed by filling up the casualties with recruits, or to have them occasionally relieved by entire regiments?—It, no doubt, would be most economical to have them filled up with recruits, and the regiments would always continue more efficient; as any new regiment coming entire from England is unfit for service for, I may say, a twelvemonth at least.

Did not lord Cornwallis in 1794 recommend to his Majesty's ministers a plan for new modelling the army in India?—He did, in a letter to the president of the Board of Controul.

Was not one of the principal objects of the plan, to prevent the continuance or revival of those discontents and jealousies which had so often manifested themselves between the King's and Company's troops, as well as between the servants belonging to the different presidencies?—It was; I believe his lordship, as far as my memory serves, stated as much in the very words of the question.

Did not lord Cornwallis deem it essential that the new regulations should be calculated to inspire hopes of promotion and public distinction, which his lordship

conceived would operate beyond all other incitements in calling forth the exertions of military men?—His lordship stated those to be his sentiments, in his dispatch, at least as far as my memory serves.

Did the regulations which were framed in 1796, extend their benefits equally to the three presidencies?—They did not, I recollect particularly, because I was military secretary to sir Alured Clarke, who at the period of their introduction was commander-in-chief at Fort St. George; and I remember that officer writing a minute, in which he pointed out this distinction in the strongest manner, and predicted that the most evil consequences would result from it, with respect to the feelings of the army of that settlement.

Has not a preference been shown to the officers of his Majesty's service in India, in the distribution of military commands?—I have often heard such a preference complained of, but cannot charge my memory with any precise facts that would enable me to give an opinion at this moment upon its justice; but I know it was considered at various periods as a grievance among the officers of the Company's army.

Is not the rank of the Company's officers confined to that of major-general?—It is.

Had any Company's officer, since the regulations of 1796, been specially appointed commander-in-chief at any of the presidencies in India?—I believe not one.

Has any mark of honour or public distinction been bestowed by the crown on any officer of the Company's army, for military services?—I have no recollection of any such mark or distinction within thirty years, except one: the dignity of baronet was granted to sir John Brathwaite, when he was superseded by a junior officer of his Majesty's service in India from the command of the army of Fort St. George, to which he had been provisionally appointed.

What, in your opinion, has been the general effect produced upon the minds of the Company's officers, by their exclusion from the higher stations in India, and from those marks of honour and public distinction, which are usually the rewards of eminent military services?—I believe such exclusion has, beyond all other causes, tended to damp that ardour and high military feeling, which are always essential to the character of an officer, but, above all others, of officers so situated as those in the Company's service are in India; I believe that it has diminished the ambition, and almost extinguished the hope, with regard to military fame and rank, in all classes of that service; that they have in consequence sunk in their own estimation, as well as in that of the troops under their command, and of the inhabitants of the country in which they serve; I am also satisfied that this cause alone is competent to defeat all the benefits that were intended by the regulations of 1796, which proposed a fair equality between the two services.

Do you think that the character and credit of his Majesty's forces in India stand in the estimation of the native powers in as high a degree of respect as those of any part of the Company's troops?—I do certainly think that it does; and my answer to the last question was meant to convey, that the operation of the system established was calculated to raise it still higher, not upon its own merits (which, God knows, are as high as possible) but upon the depression of the other service. I neglected to answer one part of the question connected with the European troops, which was, that I was convinced the feelings cherished by the Company's officers were for a system that would produce emulation with his Majesty's troops, not jealousy; and that if they felt the loss of Europeans, it was because they had lost, among other things, the power and opportunity of competing for honest fame, in the front of the battle and in the breach, with his Majesty's officers serving in India, from which they are in some degree excluded, as European troops are in general employed upon services of the greatest glory and danger. It seems impossible but that officers with that advantage which the circumstance of their commanding Europeans gives them, must feel a superiority, and the other service must feel a consequent depression. I wish to say in explanation, that all the officers in his Majesty's service, who have since 1796 held stations of principal command in India, are persons for whom I have the highest respect, and with all of whom I am personally acquainted, I feel bound to many of those officers by ties of gratitude and friendship; and I believe there never was a series of officers selected which did more honour to those by whom they were nominated; but it is a much easier task to show their high merits than to calculate the evil effects upon a whole service, by

an exclusion which banishes all hope from their breasts of ever attaining the highest ranks in the service of their country.

Do you think that any bad effects would arise from uniting the two services in one, and from incorporating the Company's army with that of the King?—I conceive that the bad effects which I have pointed out, from any service in India being exclusively native, would be equally felt, whether that service belonged to the Crown or the Company; and I conceive there are many and numerous difficulties in the way of any arrangement to connect a local service for India with the European army of England.

You have stated in a former part of your evidence, that the wealthy inhabitants of the presidencies of India, namely, Calcutta, Madras, and Bombay, are in the habit of purchasing European goods; are those purchases so made from the predilection which they have for such articles, or are they not most frequently made to gratify and to please Europeans?—I believe they are in general made either for the purpose of gratifying and pleasing Europeans, or to satisfy vanity or curiosity; some, no doubt, are articles of use, and purchased for that purpose; I speak at present of the most wealthy.

Supposing such motives not to exist, do you think that the purchase of European articles by natives of India at the presidencies would be to any great extent?—It would be certainly greatly diminished from what it is at present, by the extinction of such motives.

Are there not in Calcutta, Madras, Bombay, and in the provinces of Bengal and Bahar, many mechanics, tradesmen, and planters, who are considered as colonists in those places?—There are many such persons resident in the places described; but I can hardly conceive persons can be considered as colonists, whose residence depends from day to day upon the toleration of the British government in India, and that is the situation of most of those persons.

Can you form any estimate of the number of persons described in the last question, who may be distributed in the places mentioned?—I do not recollect it at present, though there is a regular register of their names in the common calendar of the Bengal presidency.

Do they amount to thousands?—Certainly not thousands.

Reckoning in all the places?—I should conceive not.

Have not many of the natives learnt from such persons mechanical arts, but from those persons the improvements and arts of civil life?—Many of the natives have learnt few, if any (if I am to understand that the question refers to our Mahomedan and Hindoo subjects), have at all changed their usual modes of life.

Do not you think that the advance of the natives of India in every branch of useful knowledge, will be in proportion to the means and example which we may afford them, by the residence of such persons as have been described in India?—I certainly do conceive that their advance in every branch of useful knowledge, will be in proportion to the examples and instruction they receive; I mean by useful knowledge, an improvement in mechanical arts, manufactures, and every thing that tends to render them more happy and comfortable.

Do not you think that it would be good policy in the British government to increase the means of information to the natives of India; information such as you have described?—I consider that in a state of so extraordinary a nature as British India, the first consideration of the government must always be its own safety; and that the political question of governing that country must be paramount to all other considerations: under that view of the case, I conceive every subordinate measure (and such I conceive that referred to in the question) must be regulated entirely by the superior consideration of political security.

Might not an increase in the knowledge of useful arts in the natives, conveyed by British subjects resident in India, tend to strengthen the British government in India?—I conceive that such knowledge might tend in a considerable degree to increase their own comforts and their enjoyment of life; but I cannot see how it would tend in any shape to strengthen the political security of the English government in India, which appears to me to rest peculiarly upon their present condition.

State your opinion, by what means an attachment to the British government in India, might be promoted in the minds of the natives of India?—By continuing to govern them with mildness, moderation, and justice.

Has it come to your knowledge that very serious affrays have taken place between large bodies of the natives of India,

in consequence of disputes between the indigo planters, in the interior of the country?—I have heard of such; there was one particularly shocking case, in which Mr. Arnott, an indigo planter of Bengal, was murdered, a few years ago.

Have the European indigo planters been the ostensible persons in occasioning such affrays?—I have not such a minute knowledge as enables me to give an answer to that question; in the case I stated, general report spoke Mr. Arnott to be a very violent man.

Do not you believe that if many Europeans were settled in the interior of the country, such affrays as have come to your knowledge, would be likely to take place?—They would, I conceive, be more numerous, from an increased proportion of persons liable to be engaged in them.

State how the Europeans, not in the service of the Company in India, have generally conducted themselves, whether peaceably and quietly, or otherwise?—If by that question is meant the Europeans at the different principal settlements in India, not in the service of the Company, which are the class with whom I am best acquainted, those are divided into different communities, the principal of them, that is, the gentlemen, agents, and British merchants are (as far as my knowledge goes) a class of men not exceeded, in all the qualifications by which men in their condition of life are distinguished, by any in the world; and I never heard of any conduct on their part, that was not such as belonged to their characters. The other Europeans at the different presidencies, are of various characters, and the lower parts of them are I conceive kept in order by the severe restraints of the government, and the courts of justice established at those presidencies, in the same manner as in all other societies.

Can you name any other instance than that to which you have alluded, of an affray having taken place between any European and the natives of India, in the interior or otherwise?—I have heard of several quarrels; not of any person being murdered, but Mr. Arnott.

Do you think it likely that any of the native powers in India would, under existing circumstances, entertain Europeans in their service, in defiance of their treaties with the British government?—I do not think that those who have entered into such treaties would.

Are you aware of any native power in India, which has not entered into such treaty?—None of the larger powers; there are a great number of the lesser powers which have not entered into such treaties.

Have the goodness to mention them?—I cannot recollect all the lesser states of India with whom we have no engagements, but we have treaties with the higher states in India, by which Europeans are excluded, such as the Nizam of the Deccan, the Peishwah, the rajah of Mysore, Scindiah, and I believe the rajah of Berar.

Do you consider any of the powers in India, with the exception of the rajah of Berar, as independent of British government?—That is a difficult question for me to answer; by the treaties with several of those princes, they certainly cannot be considered as dependents of the British government.

Are there not many European officers in the Nizam's service, appointed with the concurrence of the British authority at his court?—There are I believe some: their numbers are not at present very considerable, though I have not the means of knowing how many.

Have not you heard of some respectable officers from the King's army having been sent out, for the purpose of going into the Nizam's service, with the permission of the British government?—I do not recollect the name of such an officer (except it was major Frazer); but I believe there is an officer in the Company's army, in charge of some part of the Nizam's infantry; and the system is not unusual, as at the siege of Seringapatam, I commanded myself all the regular infantry of that state.

Are not you of opinion that if any Europeans were to be landed from British ships at any of the ports on the peninsula of India, and to find their way into the interior, they would be immediately taken up and sent to one of the three presidencies?—It depends a great deal upon what part of the interior they penetrated into.

Could such Europeans land on any part of the coast of the peninsula, to go into the interior, without going through part of the British dominions, or a country subject to the treaties of which you have spoken?—They could land in no such port, except on an inconsiderable tract of country between Bombay and Goa, subject to the rajah of Kolapore, who is not pledged by alliance (as far as I know)

with the British government to prevent any Europeans landing in his country; and I have known instances where such were permitted to penetrate into his country.

If such Europeans were entertained by that rajah, could it be productive of any serious inconvenience or danger to the British interests in India?—I do not think that rajah has any power that can ever be a subject of serious alarm; how far he might possibly have the means of sending such persons further into the interior, I cannot possibly say.

Into what states would he be likely to send such persons, as far as you can form an opinion?—I cannot say that his disposition would lead him either to receive them, or to send them to any states; but, perhaps, the only part where any Europeans could be of any danger, would be in joining Meer Cawn, or the person who has in his hands what remains of the power of Jeswunt Rao Holkar.

Is it at all probable that any number of Europeans, say even a dozen, would find their way to Meer Cawn, without being intercepted, either by the British authorities or some of the states with which we were in alliance, and with whom those treaties exist?—I do not think it probable; there would be more difficulty if they went in a body of even twelve, than if they went singly.

Would not the European adventurers in this country be likely to find it more convenient and more advantageous to employ natives, than to go into the interior themselves?—That would, I conceive, depend much upon the part of India to which they had resort; as far as my experience went, more Europeans resorted to the interior in Bengal, than in all the other parts of India put together; but I cannot from my own knowledge precisely judge of the motives that would operate on the minds of such adventurers as are described.

Do not you think that if the situation of the natives of India were bettered, so as to afford them the means, they would be disposed to purchase such of our manufactures as might tend to promote their comfort?—If by being bettered, is meant improved in their circumstances, I have no doubt they would, in such case, purchase every comfort within their reach.

Do not you think it possible in time to better the situations of the natives of India, in point of pecuniary circumstances?—I conceive such improvement in the condition of an empire so large as India, must be very gradual and very slow; but such results may no doubt be expected from a long period of peace and good government.

Have you not heard the natives of India complain of the revenues and taxes being heavier than they could bear?—I cannot charge my memory with hearing any particular complaints of this nature; but I have no doubt complaints of payment to government are made in India, as well as in every other country in the world.

You have no doubt often read the Calcutta Gazette; state to the best of your recollection, how many columns of that paper are usually filled with advertisements for the sale of lands to pay rents?—I believe such advertisements to be very common, but cannot charge my memory with any knowledge whatever of their number or extent.

Does not the supplement to the Calcutta Gazette very often consist of two or three sheets filled with such advertisements?—I have no doubt, from the question being put, that it does; but the advertisements in the Calcutta Gazette are some of them in Persian, and others in Bengalee, the latter of which languages I do not understand, and I have seldom or ever perused any of them, and therefore cannot state the fact particularly.

Is not the native Christian population of India very considerable, particularly on the western coast of the peninsula?—I believe that the Christian population is very considerable in all parts of India, where the Portuguese, Dutch, Danes, and French, were and are settled in India.

You have mentioned on a former night, that the natives of India were getting into the habit of manufacturing articles, the same as those supplied from this country; do you think that articles so manufactured are as good as those imported from England?—The tannery lately established at Madras, by an European gentleman of the name of Parry, who has various assistants acquainted with that manufacture, has reached a very extraordinary degree of perfection; leather pantaloons even for the horse artillery, are, I believe, manufactured there, also gloves of very excellent description; and I have heard, within the last two years, there is a tolerable glass manufactory established at Madras; the carriages made at Calcutta are, I believe, generally speaking, preferred to

those sent out from England, though many of the materials are imported from this country; the furniture is also excellent; and silver plate is manufactured by Europeans, as well as many other articles; and I am not aware that there are any circumstances of climate which can make a difference in the production of equally good mechanics, in any of the manufactures I have stated.

Do you think that the natives of India are likely to rival us in their manufacture of woollens, cutlery, and other hardware?—In India they have no wool fit for the manufacture, and therefore can never rival us in that; I have seen articles of cutlery, and even brass instruments, made in very considerable perfection, the latter was at the gun-carriage yard in Seringapatam, where European superintendants have instructed some of the half-cast artisans and natives to be very skilful workmen; and I cannot myself understand (if there is no objection on the point of climate) why the same persons that manufacture articles in England, if they have the materials in India, should not make them there.

Is not a piece of woollen cloth almost the greatest present that you can make to a poor native of India, and the most acceptable?—A piece of cloth is a very acceptable present to any native of India, and particularly to one who cannot afford to purchase it, as it furnishes him with warm clothing for the winter, if he is in a climate which requires such; but if by 'poor' is meant a person of the labouring class or lower community, I have seldom known such wear woollen cloths, except at the presidencies, and there chiefly those in the service of the Europeans; such are often in the custom of having jackets of that cloth.

Is not the climate of India, for the greatest part of the year, such as to render woollen clothing very desirable in the night?—The latitude of the Company's possessions in India, extend, I believe, from 10 and 11 to upwards of 30 degrees north latitude, and the climate varies still more from the elevation of different countries, than it does from different degrees of latitude; many parts of India, no doubt, are cold in the winter, and in such, woollens must be a desirable wear to those who can afford to buy them.

Do you think there is a probability of any materially increased consumption of British manufactures in Persia, conveyed thither through the medium of India?—I do not; as the markets for such articles at Bombay, and other places in India to which Persian merchants resort, are abundantly supplied, and there is no difficulty in the intercourse.

Do you think that, notwithstanding the Company's orders, forbidding the ingress of Europeans into British India without a licence, the number of unlicensed Europeans has considerably increased there?—It has, I believe, increased to a very great extent, particularly Bengal.—I certainly think, from what I observed, that there is a great disposition in a variety of persons to resort to India; and I have seldom known, among the lower classes particularly, any wish to leave it after they have resided there some time; this I conceive to result from the habits which they acquired in the country.

By what means do you conceive it would be in the power of government to control the continually increasing mass of European population, and to keep them from entering by various channels into the interior of the country?—I can conceive no other means, except an increased police, and the greatest exertions on the part of the government to prevent that evil.

If the natives who compose the police establishments in India, or if even the regular sepoys, were called forth to quell the insubordination of Europeans, or to take them into custody, would not this exercise of native force over Englishmen be likely to degrade the latter in the eyes of the Indian people, and to reduce the respectability of the government of the English?—Most certainly it would degrade the European character, and as every degradation of that character must tend in some degree to a diminution of that respect which it is most essential to support in the minds of the natives towards the British nation, it would (to a certain degree) be an evil of the nature described in the question.

The witness was directed to withdraw. The chairman was directed to report progress, and ask leave to sit again.

Abingdon Canal Bill.] Mr. *Fane* moved the second reading of the bishop of Durham's Bill for explaining and amending the Wilts and Berks Canal Act.

Mr. *Estcourt* said, he did not rise to oppose the second reading of the Bill; but the person who was the agent of the Canal Company, and, at the same time the steward of the Becket property, having been

charged with an abuse of confidence, he was desirous of speaking to the honourable character of that gentleman. He held in his hand the original draft of the clause which it was the object of the Bill to repeal, in the framing of which great care seemed to have been taken by all the parties concerned, and there were evident marks of the bishop's knowledge of its contents, by the addition of words in his own hand which now formed a part of the clause. He had known Mr. Crowdy, the gentleman alluded to, for many years; he was a man of high professional reputation, and far above any act that ought to attach suspicion to his conduct, and he felt it due to Mr. Crowdy to state this to the House, to remove an imputation which appeared to be most undeservedly cast upon him.

Mr. *Anthony Browne* observed, that no ground had been stated for the House to entertain the present Bill. The Canal Company had expended a very large sum of money upon the faith of the powers given to them by an act of parliament, and if they had abused their power the courts of law were open for redress, and parliament ought not to interfere to take away an important right. The clause in the Act, which it was the object of the Bill to alter, had been settled with great care and attention, and received the revision of the right rev. gentleman himself; and if parliament were now to repeal a provision made upon due deliberation after the completion of the work, and so large an expenditure, it might prove a permanent injury to the property of parties wholly ignorant of the temporary evil complained of. He thought the Bill objectionable in principle, and that the House would do right to reject it; but the Canal Company were desirous of affording every satisfaction to the right rev. gentleman, and would not oppose the Bill going into a committee where the clause might be again revised and amended, if necessary, to protect the estate from injury, and, at the same time, secure to the Canal Company the right they at present possess. It was with a view to such an equitable arrangement, either between the parties themselves or by the committee, that he should not divide the House; but if an unqualified repeal of the power was intended, he should hereafter feel it his duty to oppose the Bill.

The Bill was read a second time.

NATIONAL DEBT REDEMPTION BILL.] The Chancellor of the Exchequer moved the third reading of this Bill.

Mr. *H. Thornton* intimated that he had some objections to offer to one of the expressions in the Bill.

The *Speaker* informed the hon. member, that if he had any amendments to offer, the proper time for submitting them would be on the next question upon the Bill.

Mr. *H. Thornton* observed that his objections applied in a great measure to the principle of the Bill. It had been supported on the ground of its diminishing the public burdens, but the object, as set out in the preamble, professed to be at the same time the acceleration of the reduction of the debt. The fact was, that these two views were incompatible with each other. By the plan of his right hon. friend particular portions of the debt might be more speedily redeemed, but the total reduction must be retarded. He was of opinion, too, that the new sinking fund of one per cent. ought to be so established as to guard against a future invasion similar to that which was now attempted. The words ought to be so specific as to exclude the possibility of a doubtful construction. He could not help thinking that the term of 45 years contemplated in any alteration in the system of the sinking fund since its first institution by Mr. Pitt, was much too long a period. If the present amount of the unredeemed debt, which was about 600 million, had indeed been contracted so as to spread itself over an equal period, it might be considered as an adequate term. Mr. Pitt himself soon became so sensible that the annual million which he first appropriated was insufficient, that he soon after added 200,000*l.* per annum, and resorted moreover to the system of raising war taxes. He approved, however, highly of the new sinking fund, which was to be equal to one-half of the interest of every future loan, and hoped the principle would be adhered to. Upon the whole, he looked at this measure with a fearful eye, and regarded it as establishing a dangerous precedent.

Sir *H. Parnell* opposed the Bill, as one giving effect to a measure destructive of public credit, and violating public faith: when stripped of all the false colours in which it had been industriously represented, it was no more than a plan by which all that the sinking fund had done in 27 years would be undone in four years. It

was worthy of observation, that when the Chancellor of the Exchequer assumed, that the future annual loans would be 28 millions, he acknowledged he entertained doubts as to the accuracy of such an assumption. But when he spoke of the country being relieved of taxes for four years, though this relief for so long a term, wholly depended on the annual amount of the loan, he then entertained no doubt, but roundly asserted that his plan would confer this advantage on the public. The fund on which he had to raise his loans, by taking the interest on the debt already redeemed, was about five millions and a half; if, therefore, his loans should be greater than 28 millions per annum, and the rate of interest higher than 5 per cent. his plan would fail long before the expiration of four years. In regard to the loan, though 28 millions were sufficient last year, it should be remembered that we are now engaged in a new war with America —that we shall probably be called on to subsidize the northern powers—and that we have already voted a loan of two millions to the India Company; and with respect to the interest on the loan, the funding of the Exchequer bills at an interest of *5l. 15s. 6d* per cent. proved that the future loans were more likely to be raised at six than five per cent. Should the loan amount to 37 millions, as some persons of high authority have said it would, and should the interest on it be six per cent. the plan of the right hon. gentleman will relieve the country for two years and a half only, instead of for four years. If this should occur, the tables of the right hon. gentleman prove, that in the five following years, the taxes to be raised by his plan, on a loan of only 28 millions, will be near eight millions. But what prospect is there that the country will be better able to raise taxes to so large an amount in two years and a half than it is now able to do? Is it not, then, clear, that at that period there will exist just as good a reason for encroaching on the sinking fund, as there is now for meddling with it at all? and is it not evident that the final and only result of this commencement of the right hon. gentleman to touch the sinking fund, must be the converting the whole of it from its original destination, and placing it in the hands of the Chancellor of the Exchequer, as a ready and convenient instrument for carrying on the expenditure of the country? In respect to the several other advantages which the right hon. gentleman has held out as to accrue from this plan, the discussion had exposed them as entirely fallacious. An hon. member—(Mr. Huskisson)—had fully proved, that the taxes would be higher, the unredeemed debt greater, and the sinking fund less, by the new plan of the right hon. gentleman, than by the present system of finance. One great defect belonged to the whole proceeding of the right hon. gentleman, and that was, his having totally passed by those means of retrenchment and reform which were within his reach, for effecting a great relief of the public burdens. It was impossible to reflect upon the gross abuses which had come to light of late years—the profusion with which the public money was wasted; the defects in the system of every department concerned in the expenditure of public money; but particularly the long list of public defaulters, without being convinced that a great saving might be effected. If the right hon. gentleman had brought forward a plan for reforming the public offices, particularly their system of keeping and controlling accounts, and connected with it a complete change in the practice of the Treasury board itself, as the great constitutional control of all, he might have left the sinking fund untouched, and effected his object without any violation of the engagements made with the public creditor. But though he has done so, and though this Bill will now certainly pass into a law, the House should be aware, that he must again apply to it for its aid, to give effect to his plan, whenever he shall have contracted for the loan. In the meantime there will be an opportunity of reviewing the bearings of this plan, and of acquiring an accurate knowledge of its just character. This opportunity should not be lost, if it is essential to the interests and honour of the country to support the public credit, and to preserve the public faith.

The *Chancellor of the Exchequer* would not long delay the House, as there appeared to be a disposition to postpone any further opposition to his measure, until its operation should have furnished evidence either in proof of its merit or its defects. He begged leave to say, however, that the accuracy of his tables had been admitted by his opponents, and every statement which he had made had been founded on those tables. With respect to the calculation of the hon. baronet of the term to which the aid of the sinking fund might be

extended, it was certainly impossible for him to say, that circumstances might not arise which would render an increase of charge indispensible, nor had he ever given any positive pledge to the contrary. It was gratifying, however, to know that the additional expence of the new loan would not exceed above one-fourth per cent. the interest on the last, as had been exemplified that very day in the funding of Exchequer bills. In order to show the great utility that had been derived from the sinking fund, the right hon. gentleman proceeded to state, that when William 3 ascended the throne, a considerable part of the debt contracted by the nation previous to that period remained unpaid, whereas by the aid of the fund, we were now paying off that which had been contracted during the present reign. Was there here, he would ask, no ground for satisfaction, although something might now be reduced from its efficiency? Now his hon. friend (Mr. Huskisson) had stated, that the fund was not applied with sufficient assiduity to the redemption of the debt. He was at a loss to conceive what his hon. friend would wish. His objection did not apply to the present plan, but to the system in general, and went to tax Mr. Pitt for not doing more than he did do in the year 1806, when that which he did do had the effect of astonishing all Europe. He had to propose a slight alteration in one of the clauses of the Bill, in consequence of an observation of an hon. gentleman who had taken a prominent part in the course of the present debate. As that alteration, however, wonld consist rather in the form of expression than in the substance of the clause, he did not think ir necessary to enter into any minute explanation of it.

Mr. *J. P. Grant* wished to enter his protest against the present measure. He was not partial to the sinking fund, but he was hostile to the present plan, because though it touched upon that system, it not only did not do so upon any avowal of its fallacy, but even involved all the errors upon which it was built. It aimed indeed a direct blow at all the utility that could be expected from it. The merit of the sinking fund he took to be this, that its operation would be accelerated in proportion to its duration. Now this principle the measure of the right hon. gentleman went directly to counteract. He wished, in fact, to abolish the existing sinking fund, and substitute a new one, the operation of which was now to commence; this was again to be applied to for a purpose similar to that with a view to which the present measure had been brought forward, and the operation of that which was finally to effect the extinction of the debt was to commence not sooner than the year 1837. If he was in error, he should be happy the right hon. gentleman would prove him to be so, but it appeared to him that his whole plan was grounded on his misconception of a very obvious truth, namely, that a debt might be paid off as soon by the application of a smaller fund as by that of a larger.

The Chancellor of the Exchequer and Mr. Grant mutually explained. After which the Bill was read a third time and passed, the clause mentioned by the Chancellor of the Exchequer having been previously introduced.

Weymouth Election Bill.] The order of the day being read for receiving the report of this Bill, Mr. Macdonald presented a Petition from the inhabitants of the borough and town of Weymouth and Melcombe Regis, in the county of Dorset, setting forth,

"That before the Committee appointed by the House for trying the validity of the last election for members to serve in parliament for the said borough and town, one particular point, connected with the said borough and town, came under the consideration of the said Committee, who accordingly reported, that great abuses had existed in the said borough; and the petitioners, therefore, justly flattered themselves that the House would have inquired into the state of the representation of the said borough, and would have applied adequate remedies for the purpose of correcting such abuses; and that they have seen, with great regret, that none of the clauses introduced to the consideration of the House attempt, by any adequate means, to annihilate the present existing abuses, but, on the contrary, tend to perpetuate and strengthen them; and that the petitioners, therefore, humbly beg leave to state, and to prove at the bar of the House, that the late sir W. Pulteney contrived to appropriate to himself the far greater part of the freeholds within the borough, and, by conveying their nominal rents to persons who would pledge themselves, at any time, to support his candidates, he created such a number of temporary votes as to secure to himself the nomi-

nation and return of the four members; these votes the petitioners call temporary, because they were created only for the joint lives of himself and the voter; they were not to continue longer than the confidence existed; and that this unconstitutional and illegal system has continued to the present day; on the death of sir W. Pulteney the property descended to the late countess of Bath, and afterwards to the late sir John Lowther Johnstone, and is now vested in trustees under his will, by which will he expressly devises the borough to the said trustees, and gives them such powers as clearly show his intention to transmit to them the management of an undue, unconstitutional, and corrupt influence within the said borough, and that these trustees are H. R. H. Ernest Augustus, duke of Cumberland, lord Newark, David Cathcart, esq., and Masterton Ure, esq.; and that the duke of Cumberland, in consequence of such trust, has ever since directly interfered in the management of the said borough, has nominated the members who should represent it, and applied to persons holding high and official situations in his Majesty's government for promotion in the army and navy, and places, for voters within the said borough; thus adding the influence of his high and exalted rank to the corrupt system which previously existed; and that the petitioners can further prove, that the persons sent to the House during the last twenty years as the representatives of the freeholders of Weymouth have in reality been only the representatives of an individual; and that many were perfect strangers, and in several instances their names were not even known to the inhabitants previous to the day of nomination; and that the petitioners are persuaded that this unconstitutional power can only be controlled, and the petitioners and others, the real freeholders and electors of the borough, be restored to any share in the representation, by a considerable extension of the right of voting, and by enactments calculated to secure to *bona fide* freeholders alone the enjoyment of the elective franchise; and the petitioners also crave leave to state that this cannot be considered as any disfranchisement of the borough, because they are ready to prove at the bar of the House, that an individual possesses at this moment the power of returning the four members, not only without the consent, but against the voices, of the freeholders; a man can only be said to possess a franchise when he has the power of exercising it beneficially, and has a voice in the election of his representatives, which in fact the freeholders of Weymouth have not; the form of an election has indeed been sustained, but the reality, in its true sense, is unknown; the petitioners therefore wish to enlarge the number of voters, so as to give to the town some power over the return, and thereby to secure a choice of its own representatives; and that the anxious wish of several individuals to accomplish this constitutional and praise-worthy object first induced them to make wills, and devise their property, among their relations and intimate friends; and that this increase of votes necessarily destroyed the power of the patron, and an agent of that patron has publicly avowed that he, at the express desire, and by the advice of that patron, made wills upon his own property, and fraudulently manufactured votes to the extent now unanimously complained of, in order to get rid of real *bona fide* bequests; and that the petitioners humbly conceive a most material difference exists between the votes under the different wills; the one class of voters possess a real *bona fide* beneficial interest, which they may dispose of as they please, or which will descend from them to their heirs for ever, the others have no interest, and, on the death of one existing life, they cease, another strong proof of the fraudulent intention with which they were made; and that the petitioners have observed, with deep regret, the provisions contained in the present Bill now before the House, together with the several amendments moved, because they all tend to narrow the elective franchise, to reduce the voters to a small number, perpetuate the power of an individual to nominate the four members, and for ever take away the substantial rights of the real freeholders; and praying, that they may be heard, by their counsel, and produce evidence at the bar of the House, to substantiate the above facts; and that the petitioners doubt not the representatives of the people will feel highly indignant at such illegal practices, and be anxious to provide adequate remedies for abuses which so manifestly tend to destroy the undoubted rights of the people, to contaminate the purity of election, and to bring even the House into disrespect; they therefore further pray, that such steps will be taken to prevent the above abuses, and such provisions be made in the Bill now before the House, as shall,

in the wisdom and judgment of the House, be deemed meet."

Mr. *Macdonald* was doubtful whether he ought to propose, that the petitioners should be heard by counsel at the bar, or that the petition should be taken into consideration. Thinking that the latter would be the most expedient course to propose, he moved, That a select committee should be appointed to take the petition into consideration.

Mr. *Bathurst* observed, that the petition was founded upon a misapprehension of the measures which the House was about to adopt on the subject of the Weymouth Election. The Special Committee which had been appointed, had stated one abuse which they had found to exist; and as this abuse was not one which could be remedied by any part of the Act of king William, touching the splitting of votes, the House had been called upon to legislate on the subject. The petitioners, however, had taken one single footing on which they considered the splitting of votes, and thought that after the Bill should pass, the borough would be in precisely the same situation in which it was, with the single exception that the modern device of splitting votes by will would be removed. On the whole he could not see that any good would result from complying with the prayer of the petition. He should rather feel inclined to propose that the House should again resolve itself into a committee on the Bill.

Mr. *Abercromby* said the House had in the case before them to choose between inconveniencies; for an inconvenience there would be in legislating on the subject without considering it, while at the same time it was to be regretted that in the mean time the borough in question would not be fully represented. The right hon. gentleman opposite had argued that there was no abuse for the House to legislate on, but that of splitting votes by wills. The petitioners complained, however, that the House by regarding this abuse alone would take but a narrow view of the subject. The right hon. gentleman had said, that the House knew nothing of Weymouth more than of any other borough. It became the House to inquire respecting it, lest by the present Bill they might make it one of the closest boroughs in the kingdom. Why would they not hear the effects on the state of things in that place, of the plan at present under their consideration. Though he was no very zealous advocate for parliamentary reform, he thought it would convince any man of the necessity of it, if that House legislated in the dark on the subject, being told at the same time that they might make the borough a grossly close one. There were grounds in this case for a beneficial alteration in the borough, as the sitting members had been dispossessed, and much gross abuse made of their freeholds by the voters. There had been an interference in the present case also of a peer, the duke of Cumberland, who had been extremely indebted to the technicality by which all solid reasoning had been shifted off the subject. He hoped such technicality would not be successful against the present Petition, but that the petitioners would be permitted to prove their allegations. The best way to oppose those who called for a reform of that House, would be to show themselves friends to the extension of the elective franchise. He was therefore of opinion the Petition should be considered, and as to the mode, the Select Committee was preferable from its superior expedition, and from the present occupations of the House.

Mr. *Wetherall* said the Petition went into the case of the duke of Cumberland; but on that the House had decided; and into the subject of splitting votes by conveyance, which might be decided on by an election committee, but with which the House had nothing to do. Thus he had got rid of the main part of the Petition. All they had to do by the Bill was to extend the statute of William, which forbad the splitting of votes by conveyance in wills, and it was immaterial to which party in the borough they gave the ascendancy. By granting the prayer of the Petition, they would make the subject darker. They must plunge at the first step into the question of parliamentary reform—no very clear question it must be allowed. He did not think an extension of the elective franchise, any discouragement to parliamentary reformers; neither did he think that they needed any evidence on the abstract point decided on in the Bill before the House.

Mr. *Preston* said his hon. and learned friend who spoke last had not adverted to a very material point, namely, the amount of the freehold qualification fixed by the Bill. He should support the motion.

Mr. Serjeant *Best* opposed the motion, and said there was no more reason for taking into consideration the influence of the bo-

rough of Weymouth than that of any other in the kingdom; neither did he think that if parliamentary reform were necessary, they should legislate on particular cases. The borough in question would never be a close one, while there were 800 freeholders, whose names were affixed to the Petition.

Mr. Alderman *Atkins* explained the grounds upon which the Committee proceeded in recommending this Bill. Their object was to correct a great abuse, which had crept in by the fraudulent electors for Weymouth, and not to disfranchise the real legal electors by proposing the admission of the inhabitants to vote, which appeared to be the desire of the petitioners and their advocates.

Mr. *Wynn* pointed out a mistake committed by Mr. Serjeant Best, by having the Petition read, which Petition purported to come, not from the electors exclusively, as the learned serjeant stated, but from inhabitants. The hon. gentleman proceeded to deprecate the injustice to which this measure was likely to lead, in renewing the right of voting at Weymouth, of disfranchising perhaps many voters, whose rights had been recognised by the Committee, who in 1804 and 7, examined into Petitions from Weymouth. He denied the right of the Committee, upon this occasion, to dictate to the legislative power of that House, as the advocates for the Bill appeared to suppose them entitled. Such a doctrine was not to be listened to. The Committee had legally nothing to do but to inquire into and decide upon the merits of the election, although in this instance they had thought proper to proceed farther, by drawing up a Bill, with the assistance of some crown lawyers. Some gentlemen, he observed, called for a general proposition of reform, rather than the proposition contained in the Petition; while by others, when that general measure was submitted to the House, the cry was, "Why do not you bring forward specific abuses, instead of your theoretic plans, and we will apply a remedy." For himself, he declared that he was an advocate for the latter course of proceeding, because he apprehended in the former a dangerous experiment; and the existence of specific and gross abuses being clearly made out in this case, he would apply a remedy—not, however, such a remedy as the Bill before the House proposed (and to which the petitioners justly objected), because he thought that Bill calculated rather to extend the evil complained of, rather to protect malpractices than to serve as a safeguard for the freedom and purity of election, which a measure of this nature ought to be rendered.

Sir *John Newport* supported the propriety of permitting those who were interested in the Bill then before the House, to be heard at the bar, in support of their claims. The Bill as it at present stood, was considerably narrowed from its original formation; and if it were allowed, on the one side, to contract it, it ought, on the other side, to be permitted, if proper evidence were given, to extend it. He deprecated the idea of extending the provisions of the Bill to all the boroughs in the kingdom, as it would greatly tend to the abridgment of the elective franchise. It would, in fact, throw them more completely into the hands of individuals. The right hon. baronet concluded by observing, that when a general plan of reform was proposed, the House uniformly rejected it as impracticable, yet when a partial and practicable one was proposed to them, they also objected to it.

Mr. *Wrottesley* quoted the cases of Hendon and Stockbridge, in which the petitions of the electors were inquired into, and counsel heard at the bar respecting them, before the House decided upon their rights, and he could see no reason why these precedents should not be attended to upon this occasion as the petitioners requested.

Lord *A. Hamilton* observed, that the petitioners ought to be heard on this occasion, before a Bill, so materially affecting their rights, was allowed to pass into a law; if the House refused to accede to the prayer of the petitioners, they would degrade themselves in the public estimation so deeply, that they would find it difficult to retrieve their character.

Mr. *Davies Giddy* thought, that if this Bill was confined merely to Weymouth, then the petitioners might of strict right claim to be heard in support of their claims and interests: but if it was meant to be a general Bill affecting the whole kingdom, he did not think that they could claim it as a right.

Sir *Samuel Romilly* called the attention of the House to the serious situation in which they stood. They were at all times bound to be attentive to the petitions of their constituents, and in no case were they more bound to be attentive than

when the subject of the petitions referred to the right of election. The question now seemed to be, whether the petition which had been presented to them should be rejected or heard. That this Bill was not a general law appeared plainly from its title; and if any general law was made out of it, the title and the Bill would but ill accord. The individuals who petitioned, complained that their rights were much affected by the proposed Bill, and wished to be heard by their counsel against it. How such a petition could be refused he did not see. In what light would the members of that House stand before their constituents, if, when there was a complaint of the interference of a royal duke against the freedom of election and the privileges of that House,—if when even that royal duke was charged with making an offer of his interest for a place, in order to influence a voter,—the House did not think it proper to take any step upon it; and yet when a number of petitioners complained that the effect of this Bill would be to make the borough move under the influence of the same royal duke, they should refuse to hear those petitioners? He thought, that according to all former precedents, the petitioners had a right to be heard, and to prove by evidence the allegations of their petition; and that the importance of the present case in every point of view called for such information being laid before the House.

The *Solicitor General* on the contrary did not think that the House would risk the loss of any character by rejecting the proposition that had been made to them. The Bill had for its object, the correction of a very crying abuse, pointed out in the report of an election committee, an abuse which, whether it existed at Weymouth or elsewhere, ought to be reformed. The Bill did not alter the elective franchise. All that it did was to prevent the future perpetration of gross frauds, and no more.

Mr. *Ponsonby* observed, that the Bill had originated in, and hitherto had entirely respected the borough of Weymouth. If the House proceeded as was proposed by the hon. gentlemen opposite, the public would say that they had managed the business for the purpose of giving the predominance to a particular interest in that borough. It would not be just in parliament to proceed to remedy one species of abuse and to refuse to hear evidence respecting another species of abuse. He admitted that the splitting of votes might be and was an evil, but there might be other evils in the representation of that borough of still greater magnitude. The right hon. gentleman argued these points at length, concluding with admitting, that instead of referring the petition to a select committee, it might have been a better proposition to move to hear evidence on the Bill itself at the bar, and intimating his intention, should the question before the House be rejected, to make the latter motion.

Lord *Castlereagh* would certainly vote against both the original proposition, and that by which the right hon. gentleman had just declared he would follow it, should it prove unsuccessful. If on this and similar questions, all who were interested in abuses were heard at the bar, the business of parliament would be more comprehensive than the right hon. gentleman seemed to be aware of. His hon. friend's Bill was fair, impartial, legal, and constitutional; and as such was entitled to the support of the House.

The House divided—

For the Motion..................	37
Against it........................	102
Majority...........	—65

On our return to the gallery we found Mr. Bathurst on his legs, urging the expediency of going into a committee on the Bill without delay. After a long conversation, the House resolved itself into the committee. The various clauses of the Bill underwent considerable discussion, after which the House resumed, and the Report was ordered to be received to-morrow.

HOUSE OF COMMONS.

Thursday, April 8.

MINUTES OF EVIDENCE TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE OF COMMONS ON THE EAST INDIA COMPANY'S AFFAIRS (*Continued*).] The House having again resolved itself into a Committee of the whole House, on the Affairs of the East India Company: Mr. Whitshed Keene in the chair,

Major General ALEXANDER KYD was called in and examined.

Mr. *Jackson.*—How long have you been in the service of the East India Company?—Thirty-nine years, nearly 34 of which I resided in India.—I belonged to the military establishment of Bengal.—I now

hold the office of chief engineer upon that establishment.—I returned from India about two years and a half ago.—In the course of my service I have been at nearly all the Company's stations in the interior of Hindostan, and in many places in the Mahratta country; I have also navigated the whole of the coast of Hindostan from the gulph of Cambay to the peninsula of Malacca, and on the west coast of Sumatra.—I am thus acquainted with both coasts of the peninsula of India.—In the course of my professional avocations, I have had much to do with the natives of Hindostan, in forming contracts for materials, and employing workmen for carrying on public works.

Supposing from the circumstance of opening the trade from every port in the United Kingdom to every port within the limits of the Company's charter (Canton excepted) a considerable and indiscriminate influx of Europeans should take place, what effects do you apprehend might arise from that circumstance?—The effects, I think, would be fraught with the greatest danger ultimately to the Company's possessions.

Be pleased to state the reasons?—From the character of the lower class of Europeans, who, more especially upon their first going to India, hold the natives in the most sovereign contempt, and whenever they can have an opportunity, treat them exceedingly ill; from another part of the character of the lower class of Europeans, that they are extremely addicted to spirituous liquors, whenever they can get them, and the vast facility there is in every market and village in Hindostan to obtain ardent spirits at a very trifling expence, and when intoxicated are apt to commit disturbances, and thus give a bad impression of the European character.—During the time that I had occasion to carry on the public works, particularly at the fortress of Allahabad, where I was employed five or six years, I was permitted by government to get European overseers from the different corps of the army, and in general the best men were recommended to me; but in a little time I found it so impossible to depute any sort of authority to those men, on account of their using the natives ill, that I was obliged to leave off employing them, and have recourse to native overseers; the same has happened in all public works that I have had occasion to carry on.

When it has happened that soldiers have had leave to go any way into the interior, or have strayed from their garrisons, what effects have you noticed from such permission or absence?—In general to get drunk, and to commit disturbances in the villages into which they go, to drive the natives out of the villages, and to commit every species of disorder; but government have established strict regulations, and commanding officers are very careful to prevent their quitting the garrisons and cantonments on this very account.

Have offences to the natives, of a deep and serious nature, sometimes arisen from the inadvertence or ignorance of new comers?—Frequently, I dare say, from the inadvertence of new comers, especially in their interfering unwarily in their religious ceremonies; a very melancholy instance of that happened just before I left Bengal, to two young gentlemen that had just entered the service: from the cantonments of Muttra two young cavalry officers went to the temples of Binderbund, near that place, where there were a great number of monkies, which the natives about their temples hold in a certain measure sacred; those young gentlemen were inadvertently induced to shoot at the monkies, in consequence of which, the whole of the officiating priests, and a number of fakeers that were round, rose, and with stones and clods of earth obliged the young gentlemen, who were upon an elephant, to take to the river Jumna, which they endeavoured to cross, and perished in the attempt: it was entirely from ignorance in those young gentlemen, that the monkey in such a situation was held sacred, that they were guilty of this imprudent act.

If the new adventurers, in consequence of this universal and unlimited opening of the trade, were to consist of such persons as seamen, traders, and artisans, do you apprehend that the dangers which you have described would be increased in any material degree?—Certainly in a very great degree; were they permitted to visit all the ports in the vast extended coasts within the Company's dominions in India, they would commit disturbances without end.

Assuming them to have the licence, not only of going directly to every port within the limits of the Company's charter, but to proceed from port to port according to their discretion, do you believe that such persons could be restrained from

penetrating into the interior?—I think it is impossible; the extent is so great that the government could not possibly guard it at all points, with every precaution they could take.

Be pleased to state what regulations you have in contemplation in that answer, and how you think such regulations could be evaded?—The only regulations that government could adopt, would be to send a force and establish a police at every port where those people could possibly land in pushing a trade; and I do not think that government would be able to do it: on the Malabar coast alone, during the north east monsoon, from Cape Comorin to the gulph of Cambay, either in our own possession or that of our allies, the points where they might land, are I may say without number.

Supposing any material number of new adventurers, either from eluding the vigilance of government, or from any of the means to which you have referred, to make their way into the interior of India, what do you apprehend might be the effect of such ingress?—I do not think the natives in any situation would allow Europeans in a body to penetrate into the country, it is only straggling Europeans that are likely to make their way.

Would then an influx of new adventurers, ignorant of their language as well as of their manners and their superstitions, be very likely to give great and considerable offence to both their manners and superstitions?—A great influx of such Europeans would doubtless lead to great disorders of every kind.

Supposing those who should speculate on going to India, under the presumed act for opening the trade, should be disappointed in such speculations, do you apprehend that they would succeed in obtaining settlement in some part or other of India; or to what means might they have recourse to repair the loss which they shall thus have met with?—I really know not; I very much fear that if small vessels were allowed to navigate to India in very great numbers, the losses that they would incur (which I am certain would necessarily happen) might lead some of them to commit depredations on the small native vessels, to make up their losses. We know that upon former occasions, upon a disappointment in trade, piracies did take place; and I think it was in the reign of king William that there was an establishment of pirates at Madagascar, under a pirate of the name of Avery, who assembled many vessels there, and committed depredations on the coast of Malabar and other parts of India.—In the eastern Archipelago, and on the coast of Borneo, there are a great number of piratical vessels, that will never fail to endeavour to overpower vessels that are not extremely well armed.

Are you of opinion it is probable that, in the case of thus opening the trade, there will be any material increase in the consumption or purchase of European articles among the natives of India?—I by no means think there will; I believe the great consumption of European articles is now, as it almost ever has been, by the Europeans themselves; that consumption has within these 30 years past very much increased, but that, I conceive, has been chiefly owing to the great increase of European inhabitants and their descendants, who have the same habits and use the same articles as their fathers. About the time I mentioned, there were only two king's regiments in India, at present there are twenty; our military establishments have more than doubled, as I imagine has also the civil service; this vast increase of European inhabitants, therefore, fully accounts for the increased consumption of European articles.—The European residents out of the Company's service, but residing with their express permission, have also very materially increased; about 20 years ago there were not more than 5 or 600 Europeans not in the Company's service, in the whole of Bengal; three years ago, when I left India, there were nearly 2,000 in Bengal only.

Be pleased to give your reason for thinking that among the natives no particular increase of European consumption will take place?—Because the general class of the lower order of the natives have it not in their power to purchase those articles, even if they had the inclination; and the superior class of the natives have manufactures of their own that they are more attached to than ours, and therefore have no great inclination for them: broad cloth, the useful metals, watches, some articles of ornament, mostly used at the principal settlements, such as looking-glasses, framed prints, lustres, and a small quantity of hardware, is all that I know the natives of Hindostan wish to take from us.

Do you know what or whereabouts is the estimated native population of Cal-

cutta?—There have been various opinions upon the population of Calcutta, but I do not believe there has ever been a very correct census made. Sir Henry Russell a very few years ago declared, upon an occasion from the bench, that the inhabitants of Calcutta and its environs amounted to one million; I myself believe that there are between four and five hundred thousand.

How long have you been acquainted with Calcutta?—It is now 41 years since I first visited Calcutta.

During the whole of that period, have you observed any increased propensity in the natives to the adoption of European fashions, or the consumption of European articles; or do they continue to adhere to the fashions and tastes which prevailed when you first knew them?—I do not see a greater inclination in the natives at this time than there was when I first went to India. The lower classes of the natives in Calcutta have retained their habits, as they do in every other part of Hindostan.—In the other great towns of Hindostan that I have visited, there are very few of the natives that adopt our manners: at Lucknow, the late and the present nabob of Oude have had a very singular taste for European articles; the present nabob Sadit Ali is the only native I ever knew who had a real taste for European conveniencies; he has excellent houses of his own building, well furnished, carriages, horses, a table well served in the European style, and every thing in as good style as any gentleman can have in this country; with him it is matter of taste.

State the articles which you allude to as indicating a conformity to European taste in the inhabitants of Calcutta, to whom you have referred?—Having in their houses chairs and tables, instead of sitting upon the ground; having their walls ornamented with pictures and looking-glasses; having lustres hung up, having, many of them, European close carriages; but I do not think it extends to many other articles.

Can you state whether more manufacture of European articles is pursued now in Calcutta and the other presidencies, than formerly?—A great number of European artisans have established themselves in Calcutta, in Patna, at all our cantonments, at Lucknow, and almost all the great towns where there are Europeans, for carrying on the various manufactures of articles used by Europeans, such as carriages, furniture of all kinds, palankeens of a peculiar construction invented by the Europeans, plate, sadlery, boots and shoes, salting meats, in making guns and pistols, and a variety of other articles that I do not now recollect; they have taught the native artificers, who are very acute and dexterous, to execute every article in a manner almost to emulate those that are sent from England: but I have to observe, that the whole of these manufactures is for the use of Europeans, as they can furnish them at a cheaper rate than those of the same kind imported from Europe; and I firmly believe that if we were by any means to leave Hindostan altogether, that they would entirely drop those manufactures, and employ themselves in carrying on their own.

Do you think that in time such an ingress of artificers might not be the means of very much superseding the necessity for the importation of British manufactures to India?—It has already in a great measure superseded that necessity, and the increase of articles which have gone from this country has not been in proportion to the increase of the European population.

Do you think that such opening of the trade will be consistent either with the happiness of the natives, or with the security of the British interests in India?—I do not think it can possibly be conducive to the happiness of the natives, and I think it would in a material degree risk our safety in that country.

(Examined by the Committee.)

Supposing the foreign possessions, Pondicherry, &c. &c. to be restored at a general peace, would not a promiscuous admission of British subjects to India render it next to impossible to prevent their access to the interior becoming very general, and also facilitate their entrance into the service of the native powers?—Undoubtedly I think it would very much facilitate their entrance into the interior of the country, and in that event it would be much more dangerous than it is at this time.

Supposing the trade opened to the eastern islands, the Moluccas and Banda, might not adventurers, English and other Europeans, settle in them; and being without controul, become pirates, and embroil Britain in serious difficulties in preserving a good understanding with the empire of China?—There is no manner of doubt that there are many places in the

eastern islands, where, by a concerted plan of a few European vessels, they could establish themselves and even fortify themselves in such manner, so as to give government much trouble in rooting them out; and during that time they would have an opportunity of committing great depredations upon the eastern trade.

Have you not known, in many instances, of vessels employed in the country trade of India, when trading to the Malay ports, that the ships and cargoes have been seized, and the whole of the crews murdered, by the natives?—There is nothing so common, the thing has happened almost annually since ever I recollect; the ships that engage in the Malay trade, especially those that go to the coast of Borneo, are obliged to be very strongly armed, to be fitted out at great expence, to hire a military force of sepoys to protect them, with a very strong crew, and even then they are sometimes cut off, if they do not use the greatest precautions.

If the intercourse is enlarged by vessels from this country, do not you think that those accidents would much more frequently occur?—I do not conceive that the possible profit would justify the expence of fitting out and arming a vessel from this country, to trade on the Malay coast; in the first place, I know of no articles that they could carry from Great Britain to the Malay coast, that would answer the purpose; the whole of the articles of commerce with which the Malay trader supplies himself, I believe, are opium, a small quantity of piece-goods, and a peculiar species of silk known by the name of Muggaduties; those articles, with a few Lascar knives and red woollen caps, are the only articles that the Malays take from them; I do not believe they indulge in European articles in any way; I should therefore conceive that any speculation from Great Britain directly to the Malay coast, would end in a total loss.

What effect do you think would be produced upon the peace of the country, and the British power there, if the Poligars had the means of procuring arms from private traders and private ships?—The making them more turbulent and unmanageable than they are at present.

What, in your opinion, has been the general effect produced upon the minds of the Company's officers, by their exclusion from the higher stations in India, and from those marks of honour and public distinction which are usually the rewards of eminent military services?—It certainly has been very depressing, and has caused them to leave the service whenever they conveniently could.

Is it not of essential importance that all the officers, whether superior or subaltern, employed in the sepoy service, should understand the customs, languages, manners, and usages of the natives?—It is certainly very essential: I have the pleasure to say, that I do not believe that there can be a finer set of officers than there is at present in the Bengal sepoy corps, or who know their duty better, or are more acquainted with the manners of the people, or the languages of the country. [The witness withdrew.]

William Young, esq. was called in, and examined as follows:

Mr. *Adam.*]—Have you not served the East India Company in their civil service?—I have. From 1765 to 1786. I rose to the rank of senior merchant, and held that rank till I quitted the country.—The first five years I passed in the accountant's office; I was then sent on a particular commission to the districts to the south of Calcutta, where I was employed between one and two years; I was afterwards collector of Tirhoot, in the province of Bahar, for some time; and the rest of my time in the public service was as member of the provincial council of revenue at Patna.

Do you consider, from the opportunities you had of making observations upon the character of the Indians, particularly the Hindoos, that an unrestrained influx of Europeans would be attended with evil consequences to that country?—I think that it would be attended with very serious evil consequences.

In what respect do you consider that it would be attended with such consequences?—From their violence, and from their ignorance of the usages, ways, and habits of the people, particularly with respect to their religious habits.

Do you conceive that the conduct of Europeans, if checked by the authority the law, would have a bad effect upon the English authority over the Indian natives?—I think that any punishment of Europeans in that country always has a tendency to degrade the British character in the opinion of the natives.

Do you conceive that the general bulk of the people are likely to become customers for European commodities?—If by

European commodities is understood articles of merchandize, they are customers in some degree. They purchase various articles imported by the Company, such as broad cloth, long ells, and other sorts of woollen manufactures, also metals of various sorts; but I recollect scarcely any thing else that they purchase.

At the period of your residence in India, was the means of supply of those commodities, through the medium of the Company's ships, sufficient to answer the Indian demand?—I believe it was always most ample.

Have you any reason to suppose, from the state of Indian manners at the time you left Bengal, that there was a likelihood of such an alteration as to produce an increased demand for European commodities?—I do not think that there was; the people appeared to me, when I left the country, precisely the same as they were when I arrived there.

David Haliburton, esq. was called in, and examined, as follows:

Mr. *Jackson.*]—How long were you in the service of the Company?—Five and twenty years: upon the Madras establishment:—I was appointed Persian translator in 1788.—I was in the revenue department from 1782 till 1795, when I returned home. I was at the head of the revenue department for the last four years of my residence in that country.—I endeavoured to form an opinion of the character of the natives, as far as came within my means.—I became, I believe, acquainted with the customs and manners of the people.

Supposing British subjects to be allowed the right of going from every port in the United Kingdom to every port in India, and a material influx of Europeans to take place in consequence, what effect do you apprehend that might have upon the British interests in India?—I think it would be injurious to the interests of the British government in India. When Europeans arrive in that country first, I think I have observed that they have a great contempt for the natives, and suppose themselves a superior order of beings; that they often maltreat them, and sometimes will hurt their feelings in many things, without supposing that they are doing so, in respect of their manners and their religious customs, and other prejudices; that it has been found necessary on occasions when large bodies of Europeans have arrived at Madras, in the navy, for example, and have been obliged to land at the hospitals or other places, to put them under some restraint, for fear of their giving offence to the natives; and the same when any large bodies of troops, such as King's regiments, have arrived there in my time, and have been sent up into garrisons, it depended very much upon the commanding officers to keep them under proper restraint from committing violences and outrages in the neighbourhood of such forts. I think the longer stay Europeans make in that country, they form a better opinion of the natives than they had upon their arrival, especially if they have attained the languages of that country.

Do you apprehend that an influx of strangers, such as seamen, traders, and artificers, ignorant of the language and ignorant of their customs, might not be the means, either wilfully or ignorantly, of giving very serious offence to the natives?—Certainly it must have that effect.

What consequences would you apprehend from such offence being given in any material degree?—It depends entirely upon the situation in which those offences might be committed, for the Hindoos in general, in that part of the country near Madras, are a timid race of people; they perhaps might submit and suffer such violence; in other situations, particularly in hilly situations or woods, where they are of a more ferocious disposition, and apt to resent any injury, they might return violence. An instance I recollect of a gentleman, in the Ramnâd, about 300 miles south of Madras, who was a paymaster; he thought he could entertain some company that he had better by giving them veal, for which he ordered a calf to be killed; he was seized by the Hindoo inhabitants, and very nearly put to death, if he had not been rescued by some military force: this happened in 1772.

Do you think that a series of aggressions from adventurers ignorant of their language and their manners, might provoke such a description of people to insurrection?—Very much depends upon the character of the people of the district where the injury is committed; but, in general, the Hindoos I have met with have been of a very timid race. I think the Mahomedans are rather bolder, but there are very few of them in that part of India, except at the seat of the nabob's court;

the Mahomedans are but thinly scattered in the Carnatic.

Do you think that, in consequence of opening the trade, any material increase of demand is likely to take place for European articles, for the consumption of the natives?—I think not.

State why you think not?—From the habits and the few wants that the people of the country have; even at Madras, which is the oldest English establishment in India, for it dates as far back as 1620, one would suppose that the people there would be more in the habit of using English articles than at any other place, but the purchase of those articles there is confined to very few.

Are their habits, according to your observation and understanding, of a fixed and unchangeable nature?—Certainly, I think so; I have no doubt in my mind about it.

How long did you know Madras?—I arrived there in 1770, that is 43 years ago. I remained there the whole time I was in India, 25 years.

During the whole of that time, did you observe any increasing taste in the native population of which you have spoken, towards the Europeans, or to the consumption of European articles?—None towards the habits of the Europeans; but a few might have had a taste, such as the class of people called dubashes, who are native interpreters to the gentlemen there, or their commercial agents and money brokers, to purchase European articles of furniture in their houses, but to a very small extent.

Did such of the natives as acquired property, direct their expenditure towards the purchase of English articles?—To a very small amount, perhaps watches, and a few toys, or glass ware, but to a very inconsiderable amount.

During the whole of the time that you were there, was there an ample supply of European articles?—Yes, certainly.

If the mass of the natives had been disposed to such purchase, would they have had the means?—Certainly, many of them had the means; when I arrived in the country there were a set of men called the Company's merchants, through whom the investment was provided; those men were rich men; there were many other men of wealth, but very few of them purchased any European articles: I think there was only one carriage kept by a native, except the nabob's family.

Can you contemplate any possible increased demand for European articles, which the present system is not more than equal fully to supply?—I think not.

GRÆME MERCER, esq. was called in, and examined as follows:

Mr. *Impey.*]—How long have you been in the service of the Company?—Nearly 25 years.—I was appointed to the medical department, but have been employed both in the revenue and political departments frequently.

Have you been enabled to make accurate observations upon the characters, manners and observances of the natives?—It is difficult to form a general character of the natives of an empire which extends from near the equinoctial line to 31 degrees of north latitude: if called upon for a general characteristic of the natives of that empire, I would say that they are mild in their dispositions, polished in their general manners, in their domestic relations kind and affectionate, submissive to authority, and peculiarly attached to their religious tenets and to the observance of the rites and ceremonies prescribed by those tenets: in referring to any distinction in this general characteristic, I should say that the inhabitants of the northern provinces of Hindostan were of a more bold and decided character, and less submissive to authority than those of the southern provinces, but equally attached to the observance of their religious rites and ceremonies.

Do you think that if a free trade were authorised by law between this kingdom and India, and free traders were permitted to go from hence, and to penetrate into the country, and to reside in it at pleasure, such permission would be attended with any mischief, and what, to the peace and happiness of the natives?—I think it would be attended with great detriment to their happiness, from the violent character and disposition of the Europeans, who would be thus probably forced into an intercourse with them, and who are apt to indulge an habitual contempt for their manners, customs, and religious tenets; this would consequently lead, and does actually lead, Europeans of this class, to treat the natives with contumely and insult.

Are you of opinion that the prejudices of the natives are much more likely to be violated by such persons, than by those who are in the service of the Company?—

I can have no hesitation in answering that question in the affirmative; the Company's servants are regularly instructed to respect the customs and religious prejudices of the natives, and know that disgrace or punishment would follow any attempt on their part to insult those religious prejudices; this could not be effected in an unrestrained intercourse of Europeans newly arrived in the country.

If a free trade were opened with India, in your opinion would there be any increased demand among the natives of India for European articles or manufactures?—I am decidedly of opinion that if any increase of demand could exist, it would be very gradual, and very inconsiderable for a long period of time.

Have the mass of the population in India either the means or the desire of purchasing any European manufactures?—I am not of opinion that they have any desire, and I am certain that the great body of the people have not the means.

Among the higher ranks of the natives, is not the desire of purchasing European manufactures and commodities extremely limited?—Very limited, and only amongst those who are particularly connected with the European inhabitants.

You having been at the Nizam's court, is not that considered as one of the richest of the native courts in India?—It was considered, during the period I was there, as the court in India which retained most of the old customs, and the greatest degree of ceremony, agreeably to the forms of the Mogul government; the government was supposed also to be rich.

If opulent persons there have a desire for purchasing European manufactures and articles, would they not have an opportunity, under the present system of trade, of gratifying that desire?—They certainly would, from the abundance of such articles at all the principal settlements of the Company's government.

Did you observe any European articles, in the possession of the Nizam, or any of the opulent inhabitants of Hydrabad?—I do not recollect any, except a pair of lustres, which were sent by his present Majesty as a present to the Nizam.

Has it fallen within your knowledge that the Bengal government used every effort in their power to introduce the use of European commodities into the ceded districts of Oude?—It was the particular wish of the governor general lord Wellesley, to give every facility to the communication in trade of the ceded provinces with the neighbouring countries, and to the vent of British commodities in those countries; for this purpose he instituted fairs upon the borders of the Rohilcund country, for barter with the people of Napaul and Serinagur; for the fair of Hurdwar, where immense numbers of people from the northern countries of Cabul and Candahar and the Punjab meet those of the Company's provinces, for purposes of barter and for performing their religious ceremonies, he ordered the commercial resident at Bareily, the nearest station, to be provided with a large assortment of British woollens of every kind, which could be supposed likely to meet the taste of the inhabitants of those northern countries, and ordered the resident to attend them himself to the fair at Hurdwar; this experiment was, I believe, entirely unsuccessful, from the small quantity that could be sold, hardly sufficing to pay the expences of the conveyance.

Can you form any estimate how many persons attend the fair at Hurdwar?—At the annual fairs it is supposed that from two to three hundred thousand are collected; once in twelve years, when particular religious ceremonies are observed there, the number is generally computed to be almost a million of people.

Having stated that many persons from cold countries resort to the fair at Hurdwar, what manufactures are made use of in those cold countries, which prevent the natives of them from purchasing British woollens when offered to them?—The lower ranks of people wear coarse woollens of their own manufacture; and the higher ranks are clothed in shawls, great numbers of which, of a coarse manufacture, are also brought to the fair at Hurdwar.

Are not the natives of India generally a manufacturing people, skilful in manufacturing operations, and likely to provide for themselves whatever manufactures they stand in need of?—They are very much so, and have hardly any, if any, wants from foreign countries.

Have not many of the natives been lately taught European arts, to supply the wants of the Europeans at the presidencies of India?—Many native artisans have been taught by Europeans, and are now settled in every principal town or station where Europeans reside, and furnish a great proportion of the articles required by Europeans.

In the various parts of India in which you have been, has not the market for European commodities been fully equal to the demand?—I have never found a deficiency in any part of the country where I have been, except perhaps, I may say in Scindiah's camp, where the insecurity of property and the difficulty of conveyance must naturally deter any merchant from carrying such articles.

Is not the present system fully adequate to the supply of any increased demand that may probably arise among the natives of India for European commodities?—In my opinion perfectly adequate.

DAVID VANDERHEYDEN, esq. a member of the House, was examined in his place, as follows:

Mr. *Jackson.*]—Were you in the service of the East India Company?—I was. Five and twenty years, upon the Bengal establishment.—For the first ten or twelve years, according to the custom of the Company's service, I was employed in inferior situations, principally in the revenue department, in the province of Bahar; in 1790, I was appointed collector, judge, and magistrate of the 24 Pergunnahs, a district in the vicinity of Calcutta; in that situation I remained only a few months, when I was appointed by lord Cornwallis a member of the board of revenue, in which situation I remained nearly eight years; upon the insurrection of Vizier Ali, in the province of Benares, and the assassination of Mr. Cherry, I was appointed by my lord Wellesley chief judge of the court of circuit in that district, and agent to the governor general; I remained in that situation about two years, and then was compelled to come to England from ill health. I have been returned about ten years.

Supposing, in consequence of an open trade and free access to every port in India, there should be a considerably increased number of Europeans, indiscriminate as to their pursuits and characters, what effect do you suppose it would produce upon the general British interests in India?—I think it would have a most pernicious effect.

Be pleased to state in what respect you think it would be so pernicious?—From the discordance of the European character from that of the natives, and the contempt and contumely with which the Europeans on their first arrival, and particularly the lower orders, treat the natives.

Do you think that such intercourse would materially affect the happiness of the natives?—I think essentially.

What do you think might be the political consequence of such an intercourse?—I think in that point of view it would have a most pernicious effect, as tending to degrade the European character in their eyes.

What consequence would you apprehend from such degradation of the European character?—I think the consequence must be obvious, when we consider the great disparity of numbers between the Europeans who control there, and the immense population of the country; it can be only by a high estimation of our character, by which our government there can be upheld in strength and pre-eminence.

Do you think that that estimation which you describe as essential to the upholding of the government, might be materially and seriously affected by such intercourse?—I certainly think it would; and I believe in that I concur with every man of any experience who has been there.

Do you think that the sort of usage you apprehend from such an indiscriminate influx of people, might drive the natives to extremities?—I should think it would: in some instances they are a very patient and forbearing people, but I think they would probably have such provocations as would drive them to extremities.

At present, are the British subjects amenable to any but the principal court at the presidency?—They are amenable only to the principal court at Calcutta; the magistrate of the district has the power of apprehending any person, and of sending him to Calcutta, but there his duty terminates.

The station where such offenders are apprehended is frequently, is it not, several hundred miles from the court in which he ought to be tried?—Very frequently five or six hundred, or in some instances nearly a thousand miles.

Supposing the earnings of these people to be, as has been stated, from 3 to 5*s.* a month, do you think it within a possibility that such injured natives should obtain legal redress?—Certainly not; but it is not unusual, when accidents of this kind happen, for the government to supply the native with the means of proceeding to Calcutta, or at least the magistrate on the spot.

If, from indiscriminate intercourse, the

number of offences should increase in proportion, do you think that that mode of redress could continue to be pursued?—Certainly not; it would be attended with such enormous expence and inconvenience, that some other mode must be resorted to.

Be pleased to describe the general nature and constitution of the native courts, such as that over which you yourself presided, as to the laws by which they are governed?—They are chiefly governed by regulations of our own government: if it is meant with respect to criminal cases, the Mahomedan law principally obtains in the courts; but that is modified by regulations of our own government, to render it, as we conceive, more consonant to natural justice.

Supposing this free trade from every port in the United Kingdom to every port within the limits of the Company's charter, and looking to the line of either coast of the peninsula, do you think it would be possible to prevent such persons as have been described, from gaining admission into the interior?—I think it would be extremely difficult, if not impossible; more especially as so large a portion of the coast of Malabar is not under our authority; but, however, even in that portion which is under our authority, I think it would be scarcely possible, in the case supposed, that of an unlimited trade, to keep Europeans from getting into the interior of the country.

Supposing new adventurers to succeed in getting into the interior of the country, do you apprehend that any political evil might arise therefrom?—I should think very great political evils.

Be pleased to state such evils as you apprehend would arise?—From their intrigues at native courts, if they made their way, and in fomenting disturbances.

Do you think that such persons, supposing their object to be that of military or political service, might not find secret or open encouragement at such native courts?—Yes, I should imagine they would; there have been various instances of Europeans in a low situation of life, getting into the interior of the country, and rising to situations of great importance.

Do you suppose that this misconduct which you have apprehended towards the natives, would be in some degree dependent upon the station in life of the person who should gain access to India?—Undoubtedly; a man of education and respectability who might find his way there, would be more likely to conduct himself well than a desperate adventurer.

If, for instance, the supposed ingress should consist of seamen, tradesmen, and artificers, do you apprehend that, from their ignorance of the language and manners of the natives, those dangers of insults and oppressions towards the natives would be in proportion?—They would be likely to commit great disorders.

Supposing such open trade to take place, do you apprehend it would lead to any materially increased demand for European articles, for the purposes of the consumption of the natives?—I should apprehend not; their manners, customs, religion, the whole state of their society, preclude the probability of any increase of the consumption of European manufactures; and above all, the slender circumstances of the mass of the people render it, I should almost say, impossible.

Does this poverty of circumstances, to that degree which precludes the purchase of European articles, apply to much the greater proportion of the natives?—By far the greater proportion; almost entirely.

During your residence in India, did you observe any progressive advances in the natives towards assimilation to European habits or manners?—None whatever in the upper parts of the country; in Calcutta, in some very slight degree, but to no extent.

Do you mean exclusively among the higher orders?—Exclusively, the others are precluded from their narrow circumstances, and indeed from their inclination.

Among those who possessed wealth, in what way did they generally direct their expenditure; was it towards the purchase of European articles?—Very little; their taste does not lie that way at all; in marriages, in religious ceremonies, in supporting religious establishments, in charities from the same motives; those are among the principal modes in which the Hindoo natives of rank expend any considerable portions of their property.

Have any material proportion of the higher orders showed any disposition towards the purchase or consumption of European articles?—Very few.

Were those few, generally speaking, such as resided at the different presidencies?—At Calcutta, the nabob of Oude also expended large sums in the purchase of European articles.

Can you say whether, during the time that you were in India, there was always a full and ample supply of European articles?—I imagine quite abundant; I resided for many years at Calcutta, and I never heard the least complaint of a want of those articles, and I believe upon very reasonable terms.

Will you name such of the European articles as the natives were in the habit of purchasing?—There were instances of natives purchasing an European carriage, but those were amongst the highest orders; occasionally some glasses, or a lustre; I think those are nearly all the articles.

Do you know whether there has been an increasing disposition in the Indian artificers to manufacture articles for European use?—Yes, they are themselves very ingenious, and excellent imitators; and they have been also taught by European artificers; they manufacture various articles, such as carriages, furniture, plate, and various other articles, very nearly to approach those manufactured in Europe, in point of excellence.

Supposing, in consequence of the increased facility of visiting India, that an increased number of artificers should go there, and looking to the immense disproportion of the price of labour between India and this country, do you apprehend that in time the necessity of import of British manufactures might not thereby be in a great degree superseded?—I should think it would annually diminish from that cause.

Looking to any probable increase of European population or the Indian want, do you believe that the present system properly regulated, will afford as full and ample means for the supply of European manufactures as can be required for the market of India?—I think the system as it exists at present, is fully ample for that purpose, I mean for the supply of European commodities.

Looking to so general and so indiscriminate an accession of Europeans as has been described, do you, according to your experience, believe that it would be consistent with the security of the British empire in India, or with the happiness of the natives?—I certainly think it would not.

Do you apply that to both branches of the proposition?—Undoubtedly that was implied in the answer.

Guy Lenox Prendergast, esq. was called in, and examined as follows:

Mr. *Grant.*]—Are not you a civil servant of the East India Company on the Bombay establishment?—I am.

How long have you resided under the presidency of Bombay?—About 17 years.—Principally in Guzerat.—I first went to Guzerat as resident at Baroach, a city belonging to Scindiah, and remained in that capacity for seven years, until the commencement of the warfare in Guzerat in 1802, when I accompanied the army to the field as paymaster; and in 1805 I was appointed judge and magistrate, and revenue commissioner for settling the revenue affairs of Baroach and its dependencies, then newly conquered, in which situations I remained until about three years ago, when I returned to England.—During the time I resided at Baroach as resident, I had no other society whatever but the natives, and had an opportunity of intercourse with almost all ranks of them; I think I had a full opportunity of becoming acquainted with their habits, characters, and language.

State whether the manners, habits, and institutions of the natives, are not such as seem strange to Europeans?—Very dissimilar and strange.

Are you able to say whether, in point of mental or bodily vigour, the great majority of native population be equal to Europeans in general?—In bodily vigour certainly very much inferior; in mental capacity, in general, I do not think they are inferior.

Have you observed in Europeans unacquainted with the national peculiarities of the natives, a tendency to insult their prejudices or make light of their peculiarities?—I think it is remarkable that on Europeans first arriving in India, they are disposed to treat the natives, their religious ceremonies, and their prejudices, with a considerable degree of contempt and derision, probably arising in a great measure from the description of persons who get about Europeans on their first arrival, being generally those out of employ, and not of the best character.

Supposing a free ingress of Europeans to be permitted into those ports of British India with which you are conversant, and a free intercourse to take place between the Europeans so introduced and the natives, what effects would you apprehend to the welfare of the natives, and the stability of the British government?—I think

such unrestrained admission of Europeans into the Guzerat country would be productive of the greatest possible disorder; the local authorities, as at present constituted, would be totally unable to controul or regulate them; they would be complained of in a variety of instances for offences, the magnitude of which, as affecting the native prejudices, it would be very difficult to explain to such Europeans, who would thence be led to believe that the local authorities encouraged frivolous and vexatious complaints against them; this would lead them in return to treat the local authorities with every mark of personal disrespect they could with impunity, and they would thereby be lowered in the eyes of the natives, who, on the other hand, would feel the incapacity of the local authorities to afford them that protection they had a right to from the government; general disaffection would prevail, and a continuance of those causes increase that disaffection probably into insurrection.

From the observations which you have made upon the character of the British residents, can you say whether there prevails among them a considerable degree of that mutual and national fellow feeling which is known so generally to characterize British subjects residing in a foreign country, and among a population of singular habits?—I think that national feeling does exist.

Can you state whether there is any part of the Malabar coast not subject to British jurisdiction?—From Goa up to the mouths of the Indus is upwards of 800 miles, the whole of which, excepting within about 200 miles, belongs entirely to the native powers; and within those 200 miles, excepting Bombay, there is only Surat and Baroach belonging to the English, and those parts belonging to the English are divided in many places from each other by the native territory.

Supposing frequent resort of the vessels of private British adventurers to the Malabar coast, would it not be practicable for the crews of those vessels to effect a landing on some part of that coast, and to penetrate into the interior of the country?—No doubt; in the fine season, almost all along that coast crews might land, and proceed almost in any direction they pleased.

Are you not of opinion that very great abuses might result from the occurrence of such an event?—The greatest possible abuses and disorder.—The contempt which such description of Europeans are generally disposed to hold the natives in, might naturally be expected to lead them into considerable excesses, where they were under no description of control; insults to the native women, intrusion upon the houses and pagodas of the natives; all of which would be resented by the natives, and where they would have no authority to apply to they would have recourse to force.

Have you had an opportunity of observing how far there prevails among the natives of that quarter of India with which you are acquainted, a taste for the use of European commodities?—I have not observed any disposition or taste among the natives of Guzerat for European articles.

Can you state, whether, within the period of your Indian experience, there has been a growing taste for European commodities among the higher orders of the native population?—I think they have been perfectly stationary ever since I have had any intercourse with them.

Are persons in menial situations found to imbibe European tastes, or affect European fashions?—I do not think they are.

Have the native inhabitants of Bombay itself copied in any degree European manners and fashions?—The Hindoo and Mahomedan inhabitants of Bombay I do not think have; the Parsees of Bombay have a good deal copied the European manners, such as riding in carriages, sitting on chairs, and dining on tables, furnishing their houses; but this is but a small number, and principally those connected with the European houses of agency, and the very opulent.

Whatever improvement may hereafter take place in the condition of the Indian people, is there any rational prospect of such an advancement in their means of purchase, as shall place European commodities generally within their reach?—I do not think there is; and if they were within their reach, I do not think they shew any disposition to possess them.

Has the Bombay government, within your knowledge, shewn an anxiety to promote the consumption of European commodities among the natives under its supervision?—It has long been an anxious object with the Bombay government to obtain a vent for European articles in the interior of the territory under Bombay, and through them up into the Scind country: I was particularly myself spoken to on

that subject, when I had charge of the factory at Baroach, and made every enquiry of those natives I conceived best qualified to give information on that subject, and the result of those enquiries left no reason to believe that the thing was practicable.

Do you conceive that the present system of trade is sufficient to meet any increase which may take place in the demand for European commodities among the natives of India?—I think it is quite sufficient.

The chairman was directed to report progress, and ask leave to sit again.

THE PRINCE REGENT'S MESSAGE RELATIVE TO PORTUGAL.] Lord Castlereagh presented the following Message from the Prince Regent:

"GEORGE, *P. R.*

"The Prince Regent, in the name and on the behalf of his Majesty, thinks it proper to inform the House of Commons, that the assistance which his Majesty has been enabled to give to the Portuguese government has not only had the effect of securing the independence of the kingdom of Portugal, but has contributed most essentially to the success of the operations in which the allied forces in the peninsula were engaged during the last campaign.

"The Prince trusts, therefore, that the House of Commons will enable him to continue, in the present year, the same support to Portugal which was afforded in the last, and from which such important advantages to the common cause have already been derived."

Ordered to be referred to the Committee of Supply.

DEBTORS' RELIEF BILL.] Mr. *H. Thornton* moved for leave to bring in a Bill for the better relief of the poor debtors confined in the King's-bench, Fleet, and Marshalsea. He observed, that the humanity of parliament had now for many years been directed to the object of improving the condition of the prisoners in our jails. Formerly, there had often been no prison allowance for prisoners confined for debt even in our county jails, an evil of which Mr. Howard had complained: prison allowances had, however, become general in our county prisons; and in the last year an Act had passed of which the object was to afford an allowance of sixpence a day, at the discretion of the magistrate, to prisoners for debt under mesne process in prisons not being county prisons. That Bill had supplied the means of affording allowances to the poor prisoners in the Marshalsea, the King's-bench, and the Fleet; but it had done this in a manner very inconvenient and burthensome to the parishes in which these prisons were situated, and consequently a Bill was now before the House which had for its object to except those parishes from the operation of the Bill in question. He had felt it to be his duty to devise some other mode of furnishing what was clearly necessary to the support of the prisoners confined in the three prisons just mentioned. These means easily suggested themselves: the 43d of Elizabeth had directed, that the magistrates of every county should annually consider what was the sum necessary to be supplied for two of those prisons, and that each county should furnish at the least 40*s*. a year for their support; which had accordingly been annually transmitted to them. His intention was simply to increase that allowance,—to increase it, however, with some reference to the comparative population of the several counties, probably taking only about 10*l*. from the smaller counties, and enlarging the sum considerably in the counties of Middlesex and Surrey. He trusted that a sum would thus be supplied, which being distributed at the discretion of the magistrates, might afford all the necessary relief. The House might possibly recollect, that some few years ago a death occurred in the Marshalsea, which was ascribed to the want of food. On examination the rumour proved to be unfounded. It must, however, be painful to the House to allow even of suspicions of this sort arising out of a defective system of prison allowance. It was true, that a trifling sum, consisting partly of charity and partly of the small allowances from the counties which he had spoken of, was now divided among those prisoners, who declared themselves on what was called the poor's-box. The number of these, however, was extremely small, often only five, or six, or eight out of four or five hundred; and one condition of their participating in these charities was the degrading circumstance of becoming literally beggars by holding the poor's box, or standing at a grate to call out for alms. He wished to afford relief without subjecting them to this mortification. He thought, however, that every person benefiting by the fund ought to take an oath that he was not worth more

than a certain sum. Perhaps some distinction also should be taken between prisoners for debts amounting to larger and smaller sums. In all cases the discretion of the magistrate ought to be exercised. If the sum raised by the means he had mentioned should prove more than adequate, the surplus, he thought, might be given to Bethlehem Hospital, an institution which had lately received some aid from parliament on the ground of its being in some sense national. This disposal of the surplus was in conformity with the Act of Elizabeth which had directed the surplus to be paid to hospitals and other charities in the counties. He studiously endeavoured to avoid all novelty in the measure he proposed. He followed the general spirit of the clauses in the 43d Elizabeth, which he proposed to amend. He was anxious not to exercise a mistaken humanity. In the Fleet prison, and in the King's-bench, he knew that it was necessary to guard against imposture. In the Marshalsea, he believed that the allowance was as much wanted as in any county prison, the prisoners there being of a lower order. His intention was to limit the aid of sixpence a day to prisoners under mesne process. The subject had been mentioned by him to some authorities in the other House, and particularly to the Lord Chief Justice of the King's-bench, from whom he had received encouragement; and he trusted, that when the Bill was printed, it would be approved of by the House.

Leave was given to bring in the Bill.

Weymouth Election Bill.] Mr. Lushington brought up the report, with the amendments, of the Weymouth Borough Bill. On the reading of one of the amendments,

Mr. *Wynn* objected to the power that was given to a committee of that House, to interfere with devises to a more distant relation than nephews and nieces. He really thought that the Bill would throw almost insurmountable difficulties on election committees, and that it would be better to take another principle for preventing the splitting votes, by not allowing a vote to any one that had a less interest than forty shillings annually.

Mr *Bathurst* allowed that there must be difficulties thrown on the Committee, but he saw still stronger objections to the limit which had been stated. In the early times of our history, a freehold of 40*s*. annual value, was the qualification to vote for a county. If the proper qualification were now to be fixed, perhaps it would be a different sum. But in boroughs there never had been such a limitation, either as to value or tenure. It would be, therefore, altering the whole constitution of the boroughs of the kingdom now to say, for the first time, that no man should vote who had not a freehold of 40*s*. If the House chose by an arbitrary act to alter the constitution of the boroughs, he did not see why 40*s*. should be fixed upon as the proper qualification to vote.

Mr. *Brand* said, that there was certainly at present no general limitation as to value or tenure, to entitle a person to vote in boroughs. He thought, however, that parliament might easily devise such limitations as would remedy many palpable abuses.

Mr *Preston* spoke against the clause as it stood.

Mr. *Ponsonby* conceived that this Bill was the most objectionable measure ever, perhaps, submitted to parliament; for it proposed to introduce quite a new principle of legislation, by subjecting wills to the decision of a committee of the House of Commons. Suppose a will should be declared good by a court of law or equity, or by both, and pronounced bad by a committee of that House, he would ask whether such a thing were ever heard of before? Yet the case was quite probable, if this Bill passed into a law. The Bill professed only a desire to take away the vote created by a will for splitting votes; but by its enactments it would go to take away the property also. Thus it would not only annul the vote, but the bequest, and give a destination to the property, different from that which the devisor intended, which he conceived to exceed the real view of the Bill and its authors. He therefore recommended a postponement of the motion, in order that the matter might be more maturely considered, and the anomaly he had mentioned removed.

Mr. *Wetherall* saw nothing anomalous in the arrangement pointed out by the right hon. gentleman. On the contrary, he asserted that the provision alluded to was quite parallel to the principle of the statute of Mortmain, which not only annulled the bequest, but made a disposition of the property different from the intention of the testator. This Bill, the hon. and learned gentleman also maintained, was perfectly analogous to the provisions in the statute

of William, respecting fraudulent conveyances, with a view to create occasional votes.

The Amendments were agreed to, and on the motion that the Bill be engrossed,

Mr. *Ponsonby*, referring to the arguments of the hon. and learned gentleman who spoke last, observed, that there was this material difference between a conveyance and a will, that the person conveying property for the creation of occasional votes, would most probably be alive, and his property would revert to him upon the votes being set aside, whereas the testator would be no more, while his testament would be annulled by the vote of a committee of the House of Commons, against perhaps, as he before said, the decisions of both courts of law and equity.

Mr. *Bathurst* contended that the Bill had no tendency to do more than it professed to have in view. Its object was to abolish fraudulent votes, and it could only effect that object by striking at the root and substance of the fraud which created such votes.

The Bill was ordered to be read a third time to-morrow.

HOUSE OF LORDS.

Friday, April 9.

MARQUIS WELLESLEY'S MOTION FOR THE PRODUCTION OF CERTAIN PAPERS ON EAST INDIA AFFAIRS.] The order of the day for summoning their lordships being read,

Marquis *Wellesley* rose. He began by observing, that at no period, either in ancient or modern times, whether under a republic or a monarchy, or in any country, had a question of greater importance, or, (he would say,) of equal importance, been presented for deliberation and discussion than that which now arose, in consequence of the approaching expiration of the charter of the East India Company. It was a question, involving considerations of the greatest difficulty and importance, with reference to morals, policy, government, and political economy: the whole to be combined and brought to bear upon a most complicated and difficult subject. Viewing it in this light, he must deeply regret, that the matter had not been submitted to parliament, at a time, and under circumstances more fitted to the magnitude of its nature. He had to regret, that the principles of the intended plan had not been sooner proposed for discussion, that parliament might have taken the lead, (as parliament ought to do in such a case as this,) in debating and settling the general principles upon which it would be most advisable to found whatever system should be thought most proper for the future government of India. Delay in this case, instead of affording the opportunity for calm deliberation and mature decision, as it might have done in the hands of wisdom, had produced results rather tending to entangle and perplex the question than to elucidate it. Passion and prejudice had been suffered to get abroad, mixed with the considerations which this question involved; and while, on the one hand, an idea had gone forth, that the government of the East India Company was incapable of improvement, on the other hand, a wild, he would almost say, a frantic notion, had been set afloat of throwing open the whole trade to India. Delay had thus led to nothing but to perplex and obscure the question, which ought to have been deliberately discussed and decided upon; and what had been delayed so long must now be precipitately concluded.

And how had the subject at length been brought before their lordships?—by a set of Resolutions dragged into the House, and carried to the table with "noiseless and inaudible foot"—unexplained—unconsidered—undebated—nay, almost unread, —and then referred to a Select Committee, without a word of explanation as to the general principles of the plan. Under these circumstances, their lordships were called upon to examine evidence with reference to these resolutions, involving questions and principles of the highest importance; and, at the same time, more obscure and unintelligible than any exposition that ever was submitted to a public assembly on a subject of such magnitude. All that he now, however, wished to infer from these considerations was this;—that their lordships were called upon to retrace their steps, and to revert to the general sources of the principles, upon which they were to legislate on this arduous, complicated, and difficult question.

A noble friend of his who sat near him, (lord Grenville), with that wisdom, with that sound and extensive knowledge, and with that great experience which distinguished his character as a statesman, had remarked, on a former occasion, that the arrangements with regard to India had been experimental. In making this observation, his noble friend did not mean—he could not mean—that these arrange-

ments had been mere theoretical trials. What his noble friend must have meant, was this: that the state of affairs in the two countries, and the state of their relations with each other, being constantly varying and changing, the arrangements had been such as were properly adapted to these varying circumstances,—that the whole of the proceedings in the formation of these arrangements had arisen from the nature of the case,—and that they were only intended to be applied to a particular state of things, and to be varied and altered, from time to time, according to the changes in the circumstances of the countries for which the arrangements in question had been designed. In that sense of the proposition, he (marquis Wellesley) agreed with his noble friend; and it was from this view of the subject, that he intended to draw the principles upon which, in his opinion, their lordships ought now to legislate.

To apply abstract principles to the present case, without a due regard to its peculiar circumstances, was the most absurd method of laying the foundation for the structure which they must now raise. Their lordships well knew, that our empire in India was acquired under very singular circumstances. The first part of it had fallen into our hands through the medium of commercial enterprize; and the whole had been completed by the combined operation of commercial principles and military power. The sovereign and commercial principles had been blended, not merely by accident, but by the nature of the case; and what he now wished to impress on their minds, was the impolicy and danger of legislating upon principles, which did not arise out of the nature of the subject. Nobody could be more deeply sensible of the importance of general principles of politcal economy than he was; but this was a complex question, and he could not, therefore, agree in the application of general abstract principles to the relations between this empire and our empire in India, without reference to the special and particular circumstances which applied to each.

Could it be imagined that he, therefore, undervalued the science of political economy? Such a supposition would be a most unfounded conclusion. He did not undervalue the science; but if he knew any thing of it, he was sure of this,—that it ought not to be considered as a safe guide in deciding upon a subject of extraordinary magnitude, except in as far as it was supported and confirmed by practice and experience. The science, he believed, had been slow in its progress—it had but lately reached that point when it first deserved the name of a science, and for this reason,—that the improvements in the internal economy of states must have attained a very high pitch, before they could furnish a sufficient number and variety of facts and experiments, to guide the observation of the philosopher, and enable him to deduce his general laws, and confirm their authority, by an appeal to the proper evidence. The theory of political economy was best founded in practice; and it was only from practical results, that he could deduce a theory that ought to be applied to circumstances as they actually existed.

As it was, then, a practical science, depending so much for its evidence and authority upon actual experience, care ought to be taken not to attempt to act upon its general principles, without a proper attention to the facts and circumstances of each particular case. Their lordships ought to consider—first, the internal condition of the two empires; and next, the relations in which they stood to each other; and combining these considerations with due regard to general principles, to form from the whole a general system, suited to the condition of the countries to which it was to be applied.

Under all these circumstances, he must deprecate any attempt to decide this question, upon the principle that it was an anomalous state of things, that the same person should be merchant and sovereign; and that the power of government should be lodged in a commercial body. If he were to be told, that here was an anomaly, but that it was found to be very good in practice; and were to be asked his opinion of it, he should say, that it must be presumed to be a part of the British constitution. And of this he was confident, that what was proved to be practically good, ought not to be excluded, merely on account of its anomalous character.

But it might be, and had been, often remarked, that the East India trade was in some articles unprofitable; was it, therefore, to be argued, that the Company ought to be compelled to give it up. Even upon commercial principles, this was a very defective mode of reasoning. Supposing it admitted that the Company did suffer a loss, by their trading in some particular

article, (which was not the fact, at least, to the extent at which the loss had been stated,) it did not necessarily follow that the trade in that article might be taken from them, without injury to their general commerce and prosperity. A merchant's books might be examined, and it might appear, that his trade in some particular articles had been attended with a loss; and yet it is possible, that the trade in these articles was so connected with his general concerns, that to deprive him of this particular branch of his trade, might expose his whole commerce to utter ruin. The trade in particular articles, though a losing one in itself, might be the foundation of the profits of his general trade. There might be such an intermixture and connection in the various branches of a large commercial concern, that to touch any part of it was to expose the whole to the most imminent danger. This was the case with the trade of the Company. The exclusive trade, under proper modifications, was a deep ingredient in the commercial character of the Company. He did not mean to enter into details at that time, but what their lordships had to consider was, whether the India trade was not essential to the Company; whether it was not essential for the purpose of enabling them to carry on the trade to China to advantage; and whether they had not carried British manufactures to China, so as to enable them to dispense with the exports of bullion that had been formerly made to that quarter?

Speaking, he might venture to say with some knowledge of the subject, he was of opinion, that the India trade was essential to the Company in a commercial point of view. But was that the whole of the question? Ought the political character of the Company to be forgotten? He had already stated, that this was a complicated question, and that the whole must be taken together. The trade to India was vital to the Company in their political character. He declared most solemnly, that it appeared to him, from all the knowledge and experience which he had been enabled to acquire on the subject, that to deprive the Company of the trade to India, would most materially and essentially affect their ability to exercise their political functions. It had been objected, that this trade was carried on by the Company in a very expensive manner. Certainly it was conducted by them in a way more expensive than that in which a private merchant might prosecute it; but the question was, whether the private merchant could, at this smaller expence, carry it on with more advantage to the country, upon the whole? If the Company were to be called to the bar, and made to answer for conducting the trade, at a loss to themselves, as merchants, it was fitting that their lordships should understand, precisely, why it was that they subjected themselves to that loss. As to the expence of their ships, he would meet that question distinctly, by requesting their lordships to investigate and ascertain whether that expence did not arise from their mixed political and commercial character? The same observation would apply to their losses upon certain articles of their trade. Were these losses incurred from their mixed political and commercial character? Did they, or did they not, arise in any degree from their anxiety to promote the industry of this country, by exporting commodities for which they could not find an advantageous market? These were the questions which it would be most material for their lordships to examine, before they decided upon this most important branch of the subject. To this view of the complicated nature of the question, he would add one other observation. Their lordships would consider the condition of the two empires, their different productions, and their general habits and manners. He maintained, that, if the trade were thrown open, the products of the loom in India, or what were called "piece goods," would come into this country in such a way, and to such an extent, as essentially to injure our own home manufactures. The inference he drew from this was, that the trade must be, in some degree, restricted; otherwise the fabrics of India would inundate this country, or meet British goods in the foreign market, so as to produce the most serious injury to our own manufactures.

The question before their lordships then, was, what results this body, considered by some so anomalous, mixing into itself the characters both of merchant and sovereign, in the whole complicated machinery of its construction, had produced in that great empire which it governed? Were those results so unfavourable, that the body ought to be extinguished? Or so faulty in parts, as to require great correction? Or, had the general principles on which it was founded, so well answered their object, as to admit of practical and desirable improvement in the system?

The union of the characters of sovereign and merchant—the combination of the political and commercial character might be said to be an anomaly; but if he were asked, in any society where questions happened to be discussed, what was an anomaly, he should be inclined to say, in the first instance, that it was a part of the British constitution. In the British constitution we had anomalies, not conflicting or counteracting its principles, but harmonizing in preserving those principles in their sound practical effect. Anomaly was, therefore, no objection—the sovereign and the merchant, it was true, had been united—the political and commercial character had been blended; but it had operated to the advantage of India, and to promote the welfare of the people.

He felt it difficult to speak upon this point, having had the honour of holding a high situation in India; but it was necessary to say something upon it, as it formed an important part of the subject. Some of the acts of the government in India had received high honour in this country—upon others, a degree of doubt and suspicion had been thrown; but parliament had ultimately decided in their favour. It was his opinion, decidedly, that there never was an organ of government, in the history of the world, so administered, as to demand more of estimation, than that of the East India Company. There might, as the lot of all human institutions, be points of error to correct; but if their lordships looked at the general state of our empire in India—if they examined it on those heads on which the grandeur of an empire rested,—if they looked at the removal of all foreign influence and intrigue, and the discomfiture of all the efforts of France,—at the suppression of all great internal danger in the country,—at the regular consolidation of institutions and authorities, by which all were brought into a common mass, for the benefit of the empire at large; if they adverted to the state of real solid peace, in which countries were now placed, that had, in previous times, been so constantly exposed to war and devastation, (particularly the Decan, and the countries north of Mysore,) where, instead of desolation and ruin, the arts of peace and agriculture now flourished, they would see that the success of the administration of the government of the East India Company had been productive of strength, tranquillity, and happiness. The situation of the natives had been meliorated and improved—the rights of property, before unknown, had been introduced and confirmed by the permanent settlement of Bengal.—With respect to the principle of that settlement, he entirely coincided with his noble friend (lord Grenville). Every governor of India had acknowledged the justice and the policy of this principle; and (notwithstanding some ambiguous words in the 5th Report of the Select Committee of the House of Commons,) he was satisfied that every person qualified to be a governor of India, must do the same. It formed the corner-stone of the government of India, and the extension of the principle to the conquered provinces would found a solid basis for that government to rest upon. The principle ought to be distinctly recognized; but the application of it must be the subject of delay, in order that the various circumstances of those to whom it was to be applied, might be accurately ascertained.

On various other points of the general merits of the Company's administration he could dwell; and he had no hesitation in declaring his deliberate opinion, that the Company had discharged its great and important duties as well as any government of which history afforded a record. Some ground of discussion might be found on peculiar component parts of the system, (not commercial ones) but with reference to the effect of the controul of the crown, which had continued since 1784. He did not mean to go into any nice disquisition, how far the benefits he had stated were to be ascribed, preferably to the power of the crown, or to that of the Company. It was a great mistake, to suppose that the influence of each could be separated, and the effect of each, independent of the other, accurately ascertained. When qualities of a different nature were intermixed, they did not produce the same effects as when taken and applied separately. It was not what could be, or had been done by either, but what the union of both had effected. What had been produced by one or the other separately, could not be ascertained; neither could it be argued that the same effects would follow from the operation of the one cause, which had been produced by the union and blending of both.—He would say, and he was borne out by the facts, that no government had better fulfilled its duties, towards the people whom it governed, than that of India. The situation of the natives had been meliorated and improved: a

commerce most beneficial to them, (the coasting trade of India,) had been established and matured; in every instance their wants and comforts had been attended to; and thus, whether in a political or commercial character, the Company's government had been distinguished by the benefits conferred upon the people of India. A judicial system had been established, which, though not perfect, contained within it all the essentials of British justice. Yet this system, thus in all its parts gradually and progressively improving, was held out as one incapable of any improvement, and the grossest misrepresentations had gone abroad in regard to its conduct towards the natives of India.

Nothing, at the same time, was more inaccurate and absurd than the assertion, that the demands of India, and the products of India would never increase. The wants of India were not so positively stationary. If it were, indeed, true, that the customs, manners, feelings, and habits of India were perfectly fixed and immutable, how had it occurred that our administration of the government had already done so much; that it had produced and established the rights of property; and that it had created civil institutions for the distribution of justice, according with the wants of the native subjects, and tending to their advantage and felicity? The inhabitants, instead of being unchangeable, had become sensible of these beneficial changes. What was it which constituted the difference between the native armies whom we employed in India, and those raised by the native powers themselves? The fact was, that our sepoys had departed from many of their original habits and prejudices, acquired our military discipline, and made themselves better soldiers. That was the whole substantial difference between our sepoys and, the armies of the native chieftains. Would it be said, then, that such a people are incapable of changes or improvement? No; but that change must be gradual and voluntary, not crude, precipitate, and forced. If we did not allow our understandings to be fettered and bound down by the superstitious notion, that no change could take place, nor ought to be suffered, the result would be, that improvement was attainable, if that improvement was conducted with sufficient caution, wisdom, and deliberation. He hoped their lordships would apply some of the principles which he had stated to the resolutions which it was proposed to them to adopt and sanction.

The first of these Resolutions, declared, that all the rights, privileges, and immunities of the East India Company were to be continued to them, "with certain limitations and exceptions." He did not wish to put his assertions before his proofs; but it struck him forcibly, that these exceptions not only impaired, but destroyed the whole benefit of the grant. He had never found in any book he had read, of a rule being laid down which was to be destroyed by its exceptions.

The second Resolution was, that the China trade should be given to the East India Company; but this resolution was worded in such a manner, as if it was meant to form an exception to the rule, and not a part of it. It might be suspected, that the China trade was put there with some object of attracting attention to that particular branch of the Company's commerce, and making out of it a plea, to induce some to give their consent to the third Resolution, from a supposed difficulty that might exist in preserving to the Company their exclusive trade to China.

The third Resolution proposed to render it lawful for British subjects to trade to any countries within the limits of the Company's charter, excepting China; to proceed thither from any of the ports of the United Kingdom, and having provided themselves with proper manifests, to import the commodities of India into such of the out-ports of Great Britain and Ireland, as should be declared, by his Majesty's orders in council, to be fit and proper for the reception of such goods, with reference to the security of the revenue.

Lord Wellesley said, that he took it for granted, that the framers of these resolutions intended to preserve the East India Company as the organ of the government of India. If not, he could not see why it should be continued at all; but if it was to be continued as a political organ, why not give to that organ all those advantages, all those powers, which were requisite to enable it to perform its functions effectually? Let us see what those advantages are, which at present enable it to perform those functions abroad and at home. By the proposed regulations, all persons are to be permitted, indiscriminately, to visit India, and trade there. Now, it was impossible for any one at all conversant with that country not to know that there was, in the unrestrained influx of

Europeans into India, a great and positive danger to the stability of the government, and to the happiness of the natives. Even in 1800, when he had recommended, from peculiar reasons, to the directors to afford greater facilities to the private trade to and from India, he was aware of the dangers to be apprehended from a great influx of adventurers: and had stated, that coming under regular and restrained limits, the government would be able to avert any possible inconveniences and dangers which might be expected by some to result from this indulgence.

But what are the actual powers of government to regulate and restrain the intercourse of Europeans with India? By the law as it now stands, the mere act of being in India without a license, or after the expiration of a license, or after having been dismissed the Company's service, was a crime. Any person trading to India without a license, was, in the contemplation of the law, an unlawful trader; he was considered to be an interloper, and as such, was guilty of a misdemeanour, for which the government had by law a perfect right to send him out of the country. This had frequently operated, no doubt, with considerable severity. He had, himself, when in India, never exercised that power but once: and, in that case, it was to enforce a most just order of his predecessor. But how differently the matter would appear, when this new permission to proceed to India was granted! Suppose any of those gentlemen from Birmingham and Sheffield, persons of affluence and respectability, of high character and spirit, were to go out on the faith of the proposed regulations, were they to be told, as soon as they arrived there, that their being found in India was in itself penal? Were they to be invited to go to India merely to be sent back again?—Could this power be retained—could it be exercised, without a delusion of their hopes, without a violation of their rights, without putting them in the state of criminals, only for making use of one of the most valuable privileges of a British subject, to trade to all places where the laws and government of his country allowed him to do so? The moment a free trade was opened, this restriction, therefore, could no longer subsist. A free trade to India, and a virtual prohibition to the trader to reside there, was a contradiction too glaring to be admitted for an instant. Parliament could not sanction this monstrous anomaly—the crown could not sanction it. If, then, individuals were only liable to be sent out of the country for offences actually committed, what security would this afford to the government?—Persons might be guilty of acts highly dangerous to the state, which yet could not be brought before any legal tribunal. Besides, where were these offences to be tried? By the law now existing, a British subject is amenable only to the jurisdiction of the supreme courts of his Majesty at the three principal seats of government; but it had been usual, before granting a license to any person to proceed into the interior of the country, to demand a bond, by which the parties agreed to submit to the jurisdiction of the courts of the Company. The noble lords present might probably entertain doubts of the validity of such a bond. For his own part, he conceived his Majesty's supreme courts would be justified in rejecting it. What, then, could be done? Either individuals must be sent down to the supreme courts at Calcutta, Madras, and Bombay, to be tried for every offence, by which the difficulties of obtaining redress would be multiplied to such a degree as to render it unattainable by the natives, or it would be necessary to restrict the intercourse to the neighbourhood of the chief presidencies. But suppose the private merchants found no sufficient vent for their goods at these presidencies, and that the demand for them was such as to induce them to desire to visit the interior of the country, as a matter essential to their interests as free traders? They might think, from some report that might reach them, that the Great Mogul, for instance, had a strong desire to purchase some of their European articles; but were they to be told, "No; you cannot go up to Delhi!" Would it not, therefore, be contrary both to the letter and spirit of the proposed resolution to say to these gentlemen, "if you will confine yourselves to Calcutta, or Madras, or Bombay; if you can find a vent for your manufactures here; if this will be sufficient to fulfil your expectations, and to gratify your wishes, you may stay here as long as you please, but we cannot permit you to go any farther into the country!"

Let their lordships then consider well, what our security would be on this point, if Europeans were thus to be permitted to go to India, while we rested only on the existing rule of law for their regulation

and restraint; or on some resolutions framed in a similar spirit, respecting permission to proceed into the interior of India. If the private merchants cannot be permitted to pursue their traffic in the interior, they ought not to be deluded; and he should be glad to hear from the noble lords opposite, how it was possible that a great influx of European adventurers, would not be productive of the greatest difficulties and dangers, not merely in shaking the stability and efficacy of the government, but also in disturbing the prejudices, habits, and happiness of the natives themselves?

He had heard, indeed, that some reference had been made to an article introduced by him into many of our treaties with the native states, with a view to complete a system for the entire expulsion of the French from India. He thought his own evidence might be sufficient on that point, though a noble lord might smile at it. That it might also have applied to British subjects in a similar predicament, was unquestionable. No doubt that the power would have been so exercised, in a case of necessity: but that was not, at the time, the main object of the article in question. Could he have entered into any such stipulation, with a view to its efficiency in the event of the trade being by law thrown open, and rendered entirely free? Could he, at the time of concluding these treaties, have contemplated their application to the case of free British subjects, coming as free traders, under the license and authority of an act of parliament? Such a view of their application certainly never entered into his consideration.

With regard to the general interests of commerce, he would maintain, with the confidence arising from experience and as perfect a knowledge of the subject as he could obtain, that the whole of the system as it operated at present, operated most beneficially for the advantage, not only of the East India Company, but for that of the British empire at large. Any alteration, therefore, which might be proposed, ought most carefully to be examined and discussed, and above all, the particular change which the resolutions before their lordships went to establish. There could, in fact, result no danger to the general interests of commerce from the actual state of the trade, as exercised by the Company, for the very restrictions, guards, and limits by which it was carried on, constituted the best and most efficient protection of the industry, capital, and enterprise of England, both diffused abroad, and cultivated at home. The danger which was seriously to be apprehended—(and he begged to impress it as deeply as possible upon their lordships' minds,)—would arise from persons coming armed with new power and new authority among the people of India, and superseding those powers and those authorities to which, until that moment, the whole of the native population were accustomed,—not from the mere force of habit, but from a conscious feeling of their wisdom, integrity, and honour,—to look with reverence and gratitude. The arrival of such persons in Asia would naturally tend to create a total alteration in good order and morals;—it would involve the country in all the perpetual petty squabbles which self-interest, contracted views, and a love of gain, divested of public feeling, were unhappily calculated to produce. He shuddered at the extreme perils which so strange, so discordant, and so unmanageable a commixture could not fail to cause. An individual, however mean and sordid his objects might be, would at once find himself exalted to a competition with, and be raised up, as it were, in opposition to the Company, in their capacity of merchants and traders. This would lead to endless petty squabbles, in which the interference of the Company would always be regarded with a jealous eye: its mixed character as a political and commercial body, would become suspected and odious, and that union of the two characters be rendered dangerous and impracticable.

The evil did not however end here. The third Resolution stated, that ships might proceed from any port of the United Kingdom to any port within the limits of the Company's charter. Was that to be the case with armed ships trading to Siam,—trading to Java,—trading to any of the islands in the Eastern Archipelago? But then there was a guard—there was a remedy to be provided, against the dangers to which a commerce so unrestricted and so vague was liable. Manifests were to be required, and these manifests were to be gifted with the extraordinary faculty of obviating all inconveniency, and of preventing all the mischief and injury, the certain existence of which the framers of the Resolutions could not deny. But how were the manifests to operate? In what manner, and in what places, were

they to be applied for the prevention of the evils, which those even but slightly acquainted with the affairs of India could not help admitting would inevitably present themselves? What were the ports in which those manifests were to be used? Or rather, was there any thing like a regular establishment, and proper British authority to be found in any one of them? Thus, then, we have seen that the existing law against unlawful traders is to be applied against a free trade; and we now find, that the Manifest Act is to be enforced, where there are no Custom-house officers.

And here he might ask, what could prevent these ships from trading out of the limits of the East India Company's charter? What was there to prohibit them from interfering in the China trade? It surely would not be sufficient to say, that all direct trade and intercourse with China were cut off; for there were other means and channels by which that traffic might be obtained, and supported, which it would be found impossible to interdict, while an open trade with the adjacent isles and seas was permitted. The danger in that quarter was, therefore, great and imminent; and he would maintain, that if the connection between the East India and the China trade was always close, it was necessary, in consequence of a variety of new causes and additional considerations; to render it at the present moment inseparable. So very intimately were these two grand branches of commerce connected and interwoven, that to dissolve them, would in his opinion, eventually expose the East India Company to ruin.

He was ready to admit, in common with many who were zealous advocates for the extension of the trade to India, that it might not be a profitable traffic; but, although it might not be a source of any considerable advantage, yet, certainly, it did not follow, therefore, that the regular system which had been carried on for so long a series of years, should be destroyed at one blow, and the vast and complicated machinery of that immense fabric, should, for the mere sake of experiment, be levelled in a moment with the ground. The trade to India was necessary, as connected with other branches of the general system; and he could assure their lordships, that in this point of view, the whole of the profits on the India and China sales were not more than sufficient to enable the Company to meet their payments in England, and to discharge the other political duties which were entrusted to them as the most eligible organ of the government of India. In his view of the subject, therefore, he could not reconcile his reason to disturb either the mode of conducting the trade as it peculiarly existed at home, or as it was conducted in all its general branches. If any alteration were carried into effect, whether in the one or the other case, the results would endanger, and might even destroy the political capacity of the East India Company.

The objections which presented themselves to the extension to the outports of the import trade from India, arose out of a variety of considerations; and when all these considerations were united, they became irresistible; they were suggested by a due sense of the value of British manufactures, which called for great and continued safeguards and protection,—they sprang out of a just estimate of the genuine value of national revenue, which was necessary to meet and provide for the pressing exigencies of the state; they were also produced by a reference to the future relations of this country with the continent, when the commodities of our own soil would be depreciated, by the diffusion of the fabrics of India over Europe. The danger arising from the import trade from India, was the more to be apprehended, as the facility of doing mischief was increased in proportion to the smallness of the article, which was always the most valuable. The whole establishment of the East India Company at home, would be completely altered, by the proposed measure; and that it was at present judiciously regulated, not only for the interest of the purchaser and of the revenue, but for that of the Company and the public, none had been found bold enough to deny. The method adopted by the East India Company, of sales by public auctions, was attended with the most beneficial effects. It secured the revenue from defalcation, and prevented the English market from being glutted with Indian goods. It would not be possible to extend the same system to the outports.

It would, therefore, become the duty of the legislature to interfere, and to provide new laws and regulations for the protection of our own manufactures, which the incalculable influx of Indian commodities would injure, either on the continent, or at home. He was not aware that any additional securities could be provided against

the contraband introduction of the commodities of India; for, in consequence of the increased number of vessels that would be employed in the commerce, and the vast and extended line of coast that would be thrown open to illicit speculation, none would, he was convinced, be so absurd as to contend, that an increased number of cruisers, and of officers on shore, would be sufficient to prevent the evil.

"Let the measure proposed by his Majesty's ministers—the Manifest Act—be examined, and let us ascertain what securities it would afford. The value of the articles imported into the out-ports, was to be taken on the declaration of the importer, and the contents and description of the packages were to be ascertained by the number and marks on the outside, for it was in the nature of the East India commodities, that they could not be opened without destruction. The packages must thus be taken to contain what they were stated to contain, and the greatest frauds must be the consequence. Their lordships should examine, therefore, what would be the necessary effect of overturning the system established at London, so essential to the mercantile returns, as well as to the political functions of the Company. The out-ports, it was said, were not to be admitted to the privilege of receiving the advantage and extension of the imports, without affording securities as to the revenue. Had this been examined, it would be found that due securities were imposible, without such a degree of expence as the out-ports could not apply to this purpose. The fitness of the out-ports was to be declared by Orders in Council at the recommendation of the lords commissioners of his Majesty's Treasury. What security was this to the Company? The lords of the Treasury possessed a similar power with regard to ports, to which the benefits of the warehousing acts were to be extended, and the law had declared, that such ports only should enjoy those benefits as should appear to deserve it from their situation, the extent of their commerce, and the possibility of affording adequate security to the revenue.

Yet in the face of these requisites, and in opposition to the opinions of the boards of revenue, had the lords commissioners of the Treasury, at different periods, extended the warehousing system to ports (he might rather say) inland towns, situated many miles from the sea coast, such as Gloucester, Chester, Exeter, and others, which might be easily named. Where then was the security to the Company, that similar indulgences might not be granted to places equally unfit for the reception of the commodities of Asia? In point of fact, there was no security either for the Company or for the revenue, except in the controul of parliament. No out-port should be licensed, except on proof of adequate security previously exhibited to parliament. Nor was this all; for, while the East India Company held open sales at stated periods, and invited public competition, no notice was taken of the out-ports; nor was any provision made, requiring, on their part, the adoption of a system which was so beneficial, by its fairness and publicity, and which had been productive of so many essential advantages to the honest and industrious trader. Whilst it was undeniable, therefore, that the provisions in the Manifest Act did not afford complete protection against smuggling, what security was to be given by the out-ports to the revenue? How were they to pledge themselves, that the duties on the commodities of India would be both as productive, and as promptly and safely collected, as they were by the East India Company?

What would also be the effect of the system proposed on the port of London? What its effect on the vast capital expended under the supposition, that the trade would be continued at that port? On all those arrangements, which had the effect of giving such security to the revenue—arrangements established by the traders—not from any abstract love of loyalty, but on the conviction, that the interest of the revenue was intimately connected with their own? Would their lordships break down this system merely to give hopes to the out-ports, which would finally prove (he was convinced) as delusive as they were unjust at the outset.

He would candidly confess, that if the present question were one of a free trade in the true sense of the word, he should never be induced to contend against the proposed extension; but if their lordships could not give freedom of commerce without injuring great political rights, and without destroying vast capitals, which had been expended on the undoubted understanding and good faith of the continuance of the existing system of trade to India, they would not feel themselves justified in acceding to the measure. The ordinary claims of all the subjects of this

empire to the benefits of free trade generally, were materially different from the consideration of the claims now made to the enjoyment of a system of commerce originally vested and conducted by a particular set of men, and raised to the most flourishing state, by the exertions, enterprize, and expense of a particular company. He esteemed it abstractedly a great political principle, that commerce should be unfettered—that it should find its own level; but this principle should be restrained and regulated by political considerations. Whether or no it might be proper for them to allow a man to enter into a trade in which they were convinced he would ruin himself, they certainly ought not to grant such a liberty without inquiring as to its effects on great political rights, or its injury to the interests of others; and if there existed a danger, it was their duty to provide against it, by taking away the speculative advantage. Was it supposed, that any influx of British commodities into India, would, on a sudden, give the natives either the desire of possessing, or the power of purchasing them? Was it supposed, that it would at once increase the productiveness of the country, or the moral character of its inhabitants? He hoped a ray of discretion would enlighten the councils of the government—that they would uphold the present system with such modifications as were in former times proposed, and to which the Company themselves had agreed. The propositions of lord Melville (a name, on this question, to be mentioned with reverence), which, in 1800, had been submitted to the Company, would give all the facility to the employment of British capital, which could be given consistently with the essential principle of maintaining the Company.

Upon the subsequent Resolutions, (he meant the 4th, 5th, and 6th,) he should not offer any remarks, nor had he any objections to make to them.

With respect to the 7th Resolution, which related to the building of ships in India, he would content himself with asserting, that ships now built in India were entitled to British registry. As to the seamen also, born within our territories in India, they were, (he was convinced,) British seamen under the Navigation Act, and would in any court of law be recognized as such. Without entering, however, into the discussion of the general point of right, it would be highly desirable, on these subjects, that the point should be ascertained; that if the seamen were to be considered as British, and the ships entitled to registry, the rights should be announced. With regard to navigating the ships of private traders, in time of peace, with a majority of British seamen, he thought the restriction impolitic, because the British merchants resident in India would not wish to depart from such a system, and, in time of peace, would prefer British seamen. It was, however, of the highest importance, that the private traders should know the grounds on which they stood.

He had no objection to the 9th Resolution, which gave greater extent to the royal authority over the appointment of the governor-general; and as to the 11th, he should postpone his remarks on it to the conclusion of his speech, when he should express his opinion as to all its bearings.

Having stated his opinion as to the Resolutions where obscurities existed, and as to those especially which tended to fix in the seat of government a power shorn of all its means of action, he should advert to those subjects on which he conceived there were omissions of such importance as to call for all the wisdom of the noble lord (lord Buckinghamshire). He (marquis Wellesley) had never been an advocate for the separation of the royal authority from that of the Company, but had always maintained, that the greatest advantage resulted from their amalgamation; but he thought that improvements on the existing state of things were requisite, and capable of being applied. He had always thought that the power of the government at home over the executive power of the Company was deficient, both in strength and promptitude; and that the Company's administrative power would derive strength and dignity from the influence of the crown. The mercantile character of the Company should be connected with the political as closely as possible, but the Company would find in the controul of parliament over the former, as well as the latter part of their conduct, the best security; and to parliament their conduct, as merchants, should accordingly be subjected.

A most essential point was, that the local governments should know to whom they were to be responsible. When they had received instructions, (such as they had formerly received) as to the most important system of policy which had ever been applied to our eastern empire—a

system founded on a principle which, as experience had proved, had diffused peace over regions which were before all ruin and devastation, and which had extended British dominion where Christian voice had never been heard before,—such instructions might be disavowed at pleasure, as in the important case in question they had been. The local governments, as well as the Company, should be controuled, but not by an amphibious authority.

Another surprising omission was, the whole subject of the army in India, except as to the settling the quota of King's troops; and here he thought it might be very fairly remarked, that great benefit to the interests of India, and of the empire, might be effected, were a system devised to mark with distinctness, the military and civil duties. The greatest mischiefs which had arisen in India were produced by the collision of the civil and military authorities; and though when he (lord W.) held the situation of governor-general, from the excellent temper of the functionaries, and the exigencies of the times, and finally from the brilliant successes of the army, that collision did not occur, yet he had thought it his duty to beg his Majesty either to relieve him from the weight of his situation, or to confer on him the office of captain-general. Serious difficulties had since occurred from the disputes of the military and civil authorities, and he was of opinion, that an effectual remedy for this evil could not be too speedily provided.

He came now to a point of the utmost delicacy and difficulty; but which, notwithstanding, would be benefited by discussion in parliament, before which discussion, delicacy and difficulty had often vanished. The army in India rested too much on the footing of profit, without reference to honours at home. An army more full, than the army in India, of honour, loyalty, and valour, he had never seen; and he could not have conceived that it would, under any authority, have become otherwise. He had had the opportunity of trying them under great difficulties and privations, at a distance from their homes and families; and yet their energy and zeal never abated. In the wars of Mysore and Egypt, the native troops did not hesitate to embark in ships, although that was contrary to their usages and prejudices; and the reason that they so readily consented to embark was, from seeing that there was nothing like compulsion or violence employed to induce them to embark. It was in this manner that prejudices were likely to be done away. But it did happen, somehow or other, that the officers of the army in India were not held forward to public view as much as other officers in other parts of the world; and they felt, that honour and distinctions were conferred for services not more meritorious or important, than their own, which were denied to them. As there had been recently a great deduction of the profits of the military servants of the Company, he thought that government should devise some means of conferring honours on the meritorious officers of the Company.

The next point which he thought was omitted in the Resolutions, and which it would be very necessary to bear in mind, was the situation in which the territories of the Company would be placed after the return of peace. It was absolutely necessary to guard them from the danger of being inundated with foreign adventurers. Many of those adventurers might penetrate into the interior beyond the verge of our settlements, or the controul of our law. This was a danger against which he had always wished to guard, and which required some provision: but would it be said, that because this danger might arise from foreign adventurers, that on that account it would be safe to allow British adventurers to resort to India in any number, and without restriction?

As to the last point, which regarded the ecclesiastical establishment in India, he always had thought that our ecclesiastical establishment there, did not rest on a footing sufficiently respectable. He was of opinion, that a suitable ecclesiastical establishment would tend to elevate the European character in the eyes of the natives. Whether the proper establishment would be a bishop, or archdeacons, was a matter of detail, which could be better discussed out of that House. But if it were intended to place the ecclesiastical establishment there on a more dignified footing, care should be taken to avoid all collision between the government and the church establishment, with respect to their authorities, by means similar to the connection between the crown and church in this country, and in Ireland. From recent events which had taken place in India, it would, however, certainly be a matter of considerable delicacy; and, although no mischief might result from it, yet there was a possibility that the introduction of a

very considerable novelty of this description in India, might occasion some alarm among the natives.

He could not, however, separate this topic from what he conceived a most extraordinary omission in the Resolutions,—that no provision at all appeared to be in contemplation for the education of either the civil or military officers of the Company in India. We were accustomed in this country, to see education and learning combined with religion; and he thought that nothing could tend more to make our religion respectable in the East, than to have them there also combined. He was, therefore, astonished at seeing no provision at all made for the education of the public servants in India. He thought that the most dignified and proper mode of combining religion with learning in India, would be by connecting the proposed church establishment with that collegiate institution which had been established at Calcutta, and which still existed there, although not in as flourishing a state as it had formerly been.

As to the benefits of extending christianity to the natives of the East, there was no man less willing than himself to throw a shade over so bright a prospect: but he must say, that if we expected success, it must proceed from gradual and temperate proceedings; and by no means better than by combining religion with education. This measure should not appear to be recommended from the authority of the government, because in the East, the recommendation of the government is supposed to be almost equivalent to a mandate. He knew no better means of diffusing the christian religion, without giving alarm to the natives, than by placing the head of the church establishment in India at the head of the collegiate establishment at Fort William, where there would always be a number of learned natives employed in instructing the pupils in the eastern languages; and by the gradual diffusion of knowledge, which would result from this intercourse between those learned natives and the dignitaries of our church in India.

With regard to the missionaries, he must say, that while he was in India, he never knew of any danger arising from them; neither had he heard of any impression produced by them in the way of conversion. The greater number of them were in the Danish settlements, but he never heard of any convulsions, or any alarm being produced by them. Some of them, particularly Mr. Carey, were very learned men, and had been employed in the college in Bengal. He had always considered the missionaries who were in India during his time, as a quiet, orderly, discreet, and learned body; and he had employed many of them in the education of youth, and in translating the Scriptures into the eastern languages. He, however, had issued no order, nor given any authority for the dissemination of those translations among the natives. He had thought it his duty to have the Scriptures translated into the languages of the East, and to give the learned natives employed in the translation the advantage of access to the sacred fountains of divine truth. He thought that a Christian governor could not have done less, and knew, that a British governor ought not to do more.

Lord Wellesley then recapitulated his different objections to the Resolutions proposed. If, indeed, a project had been formed for the complete demolition of the Company, and for the creation of a new government upon the ruins of the ancient and venerable fabric, at least it might be said that the plan was bold and decisive; but in the scheme now proposed, no such vigour was to be traced; nor was its deficiency supplied by wisdom or policy: the East India Company was to be continued as the organ and instrument, without any of the power and authority necessary for government. Ministers called upon it to perform that for which their strength would be inadequate: they insisted that the flood-gates of commerce should be opened, and the Company was to sink or swim as chance directed. They withered the limbs and enervated the body; and then demanded that it should perform those wonders, which it had been able to execute in the height and plenitude of its vigour: no commensurate advantage was offered in the way of compensation; our revenues would be endangered; our manufactures would, perhaps, be ruined, and no additional benefit could be derived from an open trade. Under all these circumstances, he felt it his duty to resist any general alteration of the system, and in order to place his views in the clearest light, and to support them by facts, he should conclude by moving for a variety of documents upon the subject, some of which might be before the House, and others might even be before the public, but which it was absolutely necessary to

bring into one distinct point of view, to elucidate this important and intricate subject. Lord Wellesley then moved for the following papers: 1. "Copy of a letter from the governor-general to the court of directors, relative to the private trade of India, dated the 30th of September, 1800. 2. Copy of a minute of the governor-general, relative to the college of Fort William, dated the 18th of August, 1800; together with copies of the regulation for the establishment of that college dated the 10th of July, 1800, and of the statutes of the college of Fort William. 3. Copy of a letter from the governor-general in council to the government of Fort St. George, dated the 19th of July, 1804, relative to the internal government, and mode of providing the investment at Fort St. George. 4. An account, shewing the amount of duties, of customs, and of any other duties paid in every year, during the last five years, to the governments of the East India Company in India, on the trade to and from Great Britain. 5. An account of the establishments of officers of customs throughout India, with the total expence of the same. 6. An account of the average annual amount, for five years, of duties paid to his Majesty's revenue of customs and excise in England, on all goods imported from India and China, exhibiting the gross average amount of duties received, the charges of collection and management, and the net average amount of the respective duties paid into his Majesty's exchequer. 7. Copy of a letter from the governor-general in council to the court of directors in the financial department, dated the 10th of October, 1812. 8. An account of the description and amount of supplies furnished from India to China, in the years 1798 and 1812, respectively. 9. An account of the description and expense of the commercial establishments of the East India Company in India and China, on an average of five years."

The Earl of *Buckinghamshire*, in rising immediately after his noble friend, trusted that their lordships would do him the justice to believe, that he was not insensible to the disadvantages under which he was placed, in addressing them after the very eloquent speech they had just heard; but it was not possible for him to be silent on the present occasion, without an absolute neglect of his official duty.

His noble friend had charged his Majesty's ministers with bringing forward a great and extensive system, combining interests of the utmost importance, and involving subjects of the most complicated nature, without affording those explanations, or laying before the House that information which a question of such magnitude indisputably required. He could not plead guilty to that charge, and he must acknowledge it was not without surprize, that he had heard such a charge from his noble friend, because he could not be ignorant, that two years ago, with a view to this great question, a select committee had been appointed for the consideration of the affairs of India, upon the motion of a noble lord in his eye (lord Lauderdale) of which his noble friend was a member, but that he never once had attended that Committee; that with all the knowledge and all the information he possessed upon that subject, he had not condescended to cast one ray of light upon their proceedings, and certainly by his example had shewn how little weight he attached to any enquiry that might be instituted. The House would therefore judge with what grace such an imputation came from his noble friend. Lord Buckinghamshire however was not disposed to admit to him, or to any other person, that there was any ground for that charge. The voluminous reports and papers upon their lordships' table furnished a complete refutation to it, and he would venture to say, that there never was a subject brought before their lordships, upon which more ample means of information had been supplied.

He did not think that it was quite candid in his noble friend to complain that no opening speech by way of explanation had been made; because he must know that the precedents in the cases of the Irish propositions, and the Union between Great Britain and Ireland, were intended to be followed. And the resolutions, as in these cases, were not to be regularly submitted for discussion until they had been communicated from the House of Commons. It had indeed been agreed, in order to save time, that the parties who were desirous to produce evidence upon the subject, should be afforded the opportunity of doing so. And a committee had been appointed for that purpose; but the course of proceeding in principle was conformable to the precedents alluded to, and the mere taking of evidence was an arrangement adopted for the convenience of all parties.

His noble friend in commenting upon the Resolutions had been pleased to say, that he had never before heard of a rule being destroyed by the exceptions. He had been so often entertained when his noble friend had been disposed to be amusing, that he always heard him in that strain with great pleasure; but upon the present occasion he thought his pleasantry had been misapplied. The question of the China trade had been brought forward, as preliminary to the subsequent resolutions, because it was the point upon which it was apprehended the most serious differences of opinion might arise, and because it was not possible to frame any arrangement for the renewal of the East India Company's charter, that had not reference to that question as of paramount importance.

His noble friend had gone at great length into a discussion of the dangers that would result from an unlimited intercourse of persons of all descriptions, with the interior of India, without those restraints which every man who knew any thing of the country, must feel to be indispensibly necessary. He was perfectly ready to agree with his noble friend to the full extent upon that point, and he did not believe there was a difference of opinion upon the subject; but his noble friend had been pleased to conjure up a phantom, in order to fight a battle, where there could be no doubt of his obtaining a complete victory. If, however, there was danger to be apprehended by the efflux of adventurers from opening the trade to India from the outports, so far at least, the government had the authority of the Court of Directors, who, it would appear from the printed correspondence, had concurred in that measure under the existing restrictions as far as related to the export trade; and it could hardly be argued, that the danger could in any shape be increased by the import from India, or that it was not exclusively affected by the proposed arrangement for the export from this country.

With reference to the advantages to be expected from an extension of the commerce of India to the British merchants, lord Buckinghamshire would quote an authority entitled on every account to the greatest weight; he meant the authority of his noble friend when governor general of India, who in a letter written from Bengal in the year 1800 expressed himself in the following terms:

'Were the British merchants in India 'permitted to provide their own tonnage 'as occasion might require, every reason 'exists to justify a belief that they would 'soon possess themselves of nearly the 'whole private export trade from India, 'and would render London the universal 'mart for the manufactures and produce 'of Asia.

'If the capital of the merchants in 'India, and the remittance of the fortunes 'of individuals, should not supply funds 'sufficient for the conduct of the whole 'export trade from India to Europe, no 'dangerous consequences could result 'from applying to this branch of commerce capital drawn directly from the 'British empire in Europe.

'Beneficial consequences of the utmost 'importance would certainly result to the 'British empire in India from any considerable encrease of its active capital, 'which is known not to bear a just proportion to the productive powers of the 'country.

'If the extension of additional indulgences to the British merchants necessarily involved the admission of numerous British adventurers into India, 'the wisdom of your honourable court 'could not fail to remark, that your government can always with less difficulty 'controul the operations of British than 'those of foreign agents, while the danger 'to be apprehended from the views and 'designs of foreigners of every description must ever be greater than any 'which can probably arise from an increased resort of British subjects, under 'such limitations and restraints as your 'wisdom may frame, and the vigilance of 'your governments in India may be 'enabled to enforce.

'But it does not appear probable, that 'any encrease of the private British trade 'of India would necessarily produce a 'proportional augmentation in the number of British agents resorting to your 'dominions; the British merchants now 'resident in India, being equal to the conduct of much more extensive concerns, 'and likely to be employed by persons 'engaged in commercial concerns at 'home, who might easily conduct their 'operations with India through those British subjects actually established within 'your dominions.'

If such were the opinions of the noble lord when he was governor general in India, is it possible he can now expect to

excite in your lordships' minds an apprehension of dangers which did not alarm him in the responsible situation which he then held? Were there not now a number of British merchants in India, capable of acting as agents for private traders, without a necessary encrease of European residents? Upon what grounds was parliament to refuse to place the subjects of our own empire upon terms that had been conceded to foreign nations? He had often heard of commercial treaties where it was stipulated, that the contracting parties should be placed on the same footing as the most favoured nations; but he had never heard of a treaty where it was stipulated that they should be more favoured than native subjects.

He admitted that practical advantages ought not to be sacrificed to theoretical speculations; but here, actual experience was brought in aid of speculative policy, and he only called upon their lordships to grant to British subjects, the same advantages as were enjoyed by Americans.

In the year 1806-7, the exports from America and foreign Europe to British India, had been 1,958,000*l*. and the imports nearly 1,600,000*l*; whereas the imports of the Company for that year had been only 1,200,000*l*.; would not this trade, carried on as it was by Americans, without any of the alleged inconveniences, have been a considerable object to British subjects?

He thought it was by no means fair to describe all the persons who were likely to embark in the trade under the general head of adventurers.

There were many of them from whose admission into India no serious danger could be apprehended. Besides, such was the wealth at present of the native merchants in Calcutta, that there could be very little difficulty in procuring the investments there, without the necessity of going into the interior of the country. At Calcutta there were many native merchants who had general correspondence throughout all the provinces of India, and the means of providing an investment in that city almost to any amount were constantly encreasing. [Lord Buckinghamshire here read the following extract from the Report on the External Commerce of India, dated Dec. 28th, 1804.]

Para. 11. "Previous to the year 1798, a ship arriving in the Bengal river with funds to the extent of only 30,000*l*. sterling, and in want of bale goods, was compelled to remain until they could be manufactured at the different aurungs; whereas, at the present period, there are seldom less than one million sterling in value of cloths belonging to the native merchants deposited in Calcutta for sale, and of every other species of merchandize in an equal proportion; from twenty days to one month is at present solely necessary to obtain a cargo for a ship of 300 tons, and vessels of greater burthen in proportion."

Para. 12. "Although it is impossible to form any accurate estimate of the present surplus of British native circulating capital at the presidencies of Fort William and Bombay, yet the capital belonging to the native monied and commercial interests in Calcutta alone cannot possibly be less than sixteen millions sterling employed in the government funds, loans and discounts to individuals, external and internal trade, and various other ways totally foreign to their former pursuits, beyond what it was in 1797-8."

Para. 13. "The formerly timid Hindoo now lends money on respondentia on distant voyages, engages in speculations to various parts of the world, and as an underwriter in the different insurance offices,—erects indigo works in various parts of Bengal, and is just as well acquainted with the principles and British laws respecting commerce as the generality of European merchants, and enjoys moreover two very great advantages over the latter, the first in trading on his own, instead of a borrowed capital, and secondly of living and conducting his business at probably 1-10th of the expence of the European."

Para. 19. "The town of Calcutta is increasing in population from various parts of India; a family of Asiatic Jews from Juddha, of considerable opulence, have lately settled in this emporium for commerce, and many more are expected from the numerous ports in the Arabian and Persian gulphs. The value of the imports has certainly encreased about two hundred and fifty thousand pounds sterling annually since 1798 9, which is principally to be ascribed to the increase of the inland trade, and the demand for very many articles of British manufacture among the natives both at Fort William and the out stations, who seldom have less than one or two rooms at present in their dwelling houses, that are not ornamented with looking glasses, lamps, pictures, &c. in the European style, which

equally prevails at the other presidencies; but particularly at Bombay, where the Persic merchants from their general trade have imbibed notions of luxury and extravagance unknown to their ancestors."

Para. 22. "Of the capability of Bengal to encrease the exports to Great Britain, no better proof can be adduced than by stating that the value of the merchandize shipped to London in 1797-8, was only about 800,000*l.* sterling; whereas, in a most unfavourable season for the produce of indigo, viz. 1802-3, the value of merchandize exported to Great Britain was nearly 1,500,000*l.* sterling."

The noble lord then proceeded to maintain, that were the trade laid open, adequate security against smuggling could be obtained by the system of manifests: it was not, as his noble friend had represented, necessary that the Custom-house officer should examine the cargo at the port where the ships cleared out; the manifest was framed upon the declaration of the captain, and on the arrival of the ship, the cargo was required to correspond with that manifest. It was not unusual for ships in the West Indies to take in their cargoes at places where there was no Custom-house officer, and proceed from thence to some port where they could obtain a regular manifest.

The evidence which had been given before the Committee would satisfy their lordships of the improbability of smuggling to any extent arising from vessels trading to the eastern islands. All they had heard from persons acquainted with the subject tended to shew the impossibility of carrying on the illicit trade apprehended by his noble friend with the natives of those islands. Indeed, as the ships engaged in the trade would be at least of 450 tons in burthen, the advantage of a smuggling adventure would not warrant the risk of loss, and it was absurd to suppose that a merchant would subject himself to the hazard of the confiscation of his ship and cargo, for any benefit he might derive from a clandestine importation of tea. He believed as the India trade was conducted at present, a chief source of smuggling was by the Company's officers in their own ships, and it had therefore been suggested, that if the Company would pay them in money instead of privileged tonnage, the evil might in a great degree be corrected, much to the benefit both of the Company and the revenue.

His noble friend had given an account of a box having been found filled with stones instead of tea. He supposed his noble friend had received that information at the India House, and he should beg leave to enquire if he had learnt at the same time, what the Company had done on the occasion, and what course had been taken to discover the individuals implicated in the transaction.

Lord Buckinghamshire contended that, under all the precautions which might be adopted, the danger of a clandestine introduction of piece goods to any amount was altogether visionary. It was proposed, that all piece goods intended for home consumption should be brought to the port of London, and there exposed to public sale as at present, and that the duties *ad valorem*, payable on goods designed for exportation, should be estimated on the declaration of the merchant importing. Whether at the port of London or at the outports, it was possible that a slight diminution of revenue might arise from taking the value on the declaration of the merchant, but so trifling a circumstance should not be allowed to operate upon an arrangement of such magnitude as that under their lordships' consideration.

Lord Buckinghamshire was not disposed to question the law, as laid down by his noble friend with respect to the alleged right of the India built ships to registry in this country; but he was justified in saying, that the exercise of that alleged right had been considered as a subject for special legislative enactment. In the course of the last war a Bill had passed for the purpose of allowing ships built in India to carry on the trade direct between Great Britain and India; and since the last war another Bill had been enacted, continuing that permission until the expiration of the Company's exclusive charter.

The question now, therefore, was to be viewed with reference to considerations of no small importance, not merely as to any existing right those ships might have, but as to the question in all its bearings relative to the shipping of this country, both with regard to trade, the interests of the landed property, and above all the attention indispensibly due to the naval security of the empire.

Under this impression it might be deemed advisable to restrict the India built ships to the trade between India and Europe, either direct or circuitous, in the

event of any arrangements that may be made for opening a commerce between our Indian possessions and South America, or direct between them and all other countries, with the exception of foreign Europe and our own colonies in North America.

His lordship observed, in reply to some remarks of lord Wellesley concerning the army, that the government having no material change in that respect in contemplation, that was likely to require legislative enactment, it was not judged necessary to advert to it further than had been done in the Resolution. His noble friend, in speaking of the government at home, had represented the state of uncertainty under which a governor general might be placed respecting the authority under which he acted.

Lord Buckinghamshire was not aware of the difficulty to which he had particularly alluded; he knew that when his noble friend was in India, differences had frequently arisen between the Board of Controul and the Court of Directors with regard to his measures, but he had always conceived that no orders could be sent to the governments abroad, but through the Court of Directors or the Secret Committee, and that no dispatch could be forwarded that had not previously the sanction of the commissioners for the affairs of India. The noble earl observed, that no material difference of opinion appeared to exist between lord Wellesley and himself upon the subject of the ecclesiastical establishment, but upon the point of education as connected with it, he was satisfied that no man could read the minutes of his noble friend on the establishment of a college in Calcutta, without entertaining the highest opinions of the ability with which they were drawn. Much however as he admired the talents and knowledge which he had displayed upon that subject, he must confess that he did not entirely agree with his noble friend upon some parts of the plan he had proposed.

Before lord Buckinghamshire concluded, he would return to the commercial part of the question, for the purpose of adverting to a letter addressed to his noble friend by Mr. Udney; then, he believed, a member of council, and particularly conversant upon all matters relating to trade; and he did so with the more satisfaction, because in the extract which he should take the liberty of reading, Mr. Udney had expressed himself in terms respecting his noble friend's administration of the affairs of India, in which he perfectly coincided, whilst at the same time the measures now proposed for the extension of the commerce, were evidently sanctioned by his authority,

"In addition to the numerous advantages derived from your lordships' government to the British nation, by securing and consolidating its dominions in India, it remains, by unfettering the trade of it to British subjects, and affording to them their natural privileges (as far as may be consistent with the rights of the Company) and thereby reducing foreigners within their just and natural bounds, to draw forth the resources of all these valuable possessions, and to accomplish the grand object, so long desired, of rendering Great Britain the emporium of the east." Lord Buckinghamshire had observed the notice his noble friend had taken of the words "as far as may be consistent with the rights of the Company." He would however recollect, that when Mr. Udney wrote in 1800 the charter had 14 years to run; but the question was now what their lordships should do, when those rights had ceased to exist.

Lord Buckinghamshire would state with the most perfect sincerity, that he had the strongest disposition to support the East India Company, not merely from sentiments of personal good will, but because he thought their dissolution would be a public misfortune, and be the ruin of many respectable individuals; but when he considered that by their own shewing, they had lost in the last 19 years above four millions by the trade for which they were contending; and that the merchants of this country asked no more than to be put upon a footing with foreigners, he could find no argument to resist their application.

He could not anticipate a result injurious to the Company, though he could see an extensive prospect of substantial benefits to the great interests of the commerce of the United Kingdom. With these sentiments he had entered the House this day, and he had heard nothing from his noble friend which had induced him in the smallest degree to question their propriety, or to shake the opinion he had formed upon the most deliberate view of the subject.

Lord *Grenville** rose and addressed their lordships as follows:

My lords; whatever differences of opinion may ultimately be found among us relative to this great question of Indian Government and Commerce, we must all feel ourselves indebted to my noble friend who opened this debate, for the opportunity which he has afforded us of discussing it in this stage of the business, when discussion may be truly useful, instead of postponing our deliberations, till the very moment of final decision. We have also great obligations to him for the lights which he has thrown on every part of the question. No man is better qualified to do so, not only by his brilliant eloquence, and extensive information, but also by personal experience, and peculiar local knowledge, the results of the distinguished part which he has borne in the government of British India. I ought therefore to distrust my own judgment when I profess myself not wholly satisfied either by his reasoning, or, on the other hand, by the conclusions with which my noble friend who followed him has supported the Resolutions now on your table. My attachment, however, to those principles of public policy, on which my doubts in this case are founded, and my solicitude to contribute all that is in my power to the right decision of this great question, induce me to offer to your lordships such suggestions upon it as have presented themselves to my mind. I do so with no other predilection, but for the cause of truth, with no other desire, but that my own individual conduct, and, what is much more important, the ultimate decision of parliament, may be such as shall best promote the great interests now exclusively committed to our charge.

* From the original edition, published with the following Advertisement:

"In the endeavour to commit to paper from recollection, and at some distance of time, the substance of the following Speech, it is probable that not only the turn of the expressions, but also, in some instances, the arrangement of the topics may have been varied: and one or two points have been introduced, which were adverted to, not in that debate, but in the preceding discussions connected with the same subject. But there is no deviation from the general course of argument and opinion pursued on those occasions.

"Camelford House, June 25, 1813."

For the noble earl to whom I last alluded has, in my judgment, with great propriety pointed out the real nature of the duty which is now cast upon us. He has reminded us (I think it has been frequently overlooked in discussing the subject elsewhere) that our present deliberation embraces the whole question of our future relations with India: the government of a vast empire, and the regulation of the British commerce with every port and country between the southern promontories of Africa and America. It is a deception to speak of any existing rights, by which this immense and momentous consideration can now be circumscribed. The charter of the East India Company was granted only for a limited period; for limited periods it has ever since been renewed, with the express purpose, that at their expiration the matter should revert entire to the free disposition and deliberative wisdom of parliament. The trusts and duties of that great corporation, its commercial and its political monopolies, will all expire together, on the lapse of the term for which they were created. All public right, all public interest in the subject will thenceforth devolve on the British legislature, exercising an unrestrained but sound discretion; bound by no previous grant, fettered by no existing law, and having regard only to the principles of moral duty, and to the rules of a wise policy and enlightened government.

On precedents we can here have no reliance. The situation is new; the subject on which we are to legislate knows no example. Our former measures would be deceitful guides. They were experiments not always successful, and at the best calculated only for limited duration; never permanent, nor ever meant for permanence; temporary in their nature, and continually varying with the progressive variations of our interest and power in a country, where our situation has never yet been stationary. To the extent, and to the condition of our present Asiatic empire, they appear to me utterly inapplicable. And so far from wishing with my noble friend, who opened this discussion, to perpetuate those anomalous and imperfect arrangements, I am persuaded that we are not yet arrived at the period when any final regulation on the subject can safely be established. Whatever we may now do, I deprecate the idea of placing it out of the reach of revisal. I object even to that

part of the Resolutions on your table, which would establish them, by an irrevocable compact, unchangeable for twenty years. Twenty years would at any time be much too long a period for farming out the commerce of half the globe, and the sovereignty of 60 millions of men. Those who advised the last renewal of the charter had ample reason, during its continuance, to regret that they had placed out of the hands of parliament so considerable a portion of the national interests. How much more inexcusable would such an error now appear, when the events, not of the next twenty years, but of the next twenty months, may be decisive of the whole fate and fortunes of the British empire? This improvidence, I trust, we shall avoid. Whatever plan we now adopt, all men must surely admit the necessity of limiting it to the return of peace, to be then reconsidered with reference to the final arrangements both in India and in Europe, of that important and decisive æra.

With respect to our present measure, temporary as I think it ought to be, permit me to observe that both the resolutions proposed by the King's ministers, and the speech of my noble friend, able and eloquent as it was, appear to me, I speak it with deference, to labour under one fundamental and radical defect. They have both, I think, treated as principal, what is in its nature subordinate; both considered as secondary, what is in truth the primary and paramount object for the consideration of parliament. The plan which is on our table, sets out with a pledge for the maintenance of the East India Company, as a fit instrument for administering the commerce and government of India; and the very first resolution continues to this exclusive corporation, in one sweeping grant, and by the most comprehensive words of reference, all the privileges, and all the powers which it before enjoyed, and which are not specially enumerated in the succeeding exceptions. This seems to be regarded as the leading question which we are first to decide. All other matters are left for subsequent consideration. To the same point also my noble friend's arguments were all directed; and every part of the extensive information which he gave us on the subject of our Indian interests, was stated always with reference to the renewal or discontinuance of the Company's authority. To me it appears, that we should first determine the character of the duty which we undertake, and the general objects which we seek to attain; and that having established these, we shall then more properly enquire by what course of conduct such purposes should be pursued, and by what instruments they may be best accomplished. This remark, if it applied only to the form in which the subject is brought before us, or to the logical arrangement of the discussion, would be a minute criticism, unworthy both of the place and the occasion. But it affects, in truth, the very essence of this proceeding. If the interests of the East India Company, its privileges, and its monopolies, are really the first objects of our care, the primary concern in this deliberation, let that principle govern our resolutions. But if there is a preferable and higher duty, which we must first discharge, let us also first acknowledge and declare it; disguising neither from ourselves nor from the world the principles in which it originates, and the nature of the obligations which it imposes.

Consider, then, the relation in which we stand to India. The British nation is now sovereign in that country. To the imperial crown of this united kingdom, whatever we there possess of interest, territory, or dominion, is of right annexed. To argue the fact of the British sovereignty in India would be an insult on the understanding of my hearers. To ask whether any territory, dominion, or political authority, in any quarter of the globe, can be conquered by British arms, or acquired by British negociators, otherwise than to the British crown, is simply to ask whether we live under a monarchy or a republic. Our government knows no regal power but in the king; in him, alone, all sovereignty is vested—with him it indefeasibly resides; to be exercised not by his individual and personal discretion, as in despotic monarchies, but under the sanction and limit of the laws, through the channels of his regular government, and with the advice and consent of his necessary and constitutional councils. It is from this principle alone that we ourselves derive any authority to make laws for India. No territories to which the king's sovereignty did not extend, could, by any possible pretence, be subjected to the legislative authority of his parliament.

If this principle be too clear for argument, let us not therefore think that its assertion is indifferent: it is, on the con-

trary, a point of the highest and most pressing importance. A manly and distinct avowal of the sovereignty of the British crown in India is the only sure foundation on which our government can stand—the only solid principle on which we can either discharge our duties or maintain our rights. Much evil has already arisen from the neglect of this essential measure; much evil to the natives of India, still more to the British interests in that country. Governments of mixed and ambiguous origin—executive and judicial functions, flowing from different sources—military and civil powers not subjected to the same controul—and armies joined in the same service, but recognizing distinct command—have already too much distracted our Indian empire: they have repeatedly led to confusion and civil discord; they have broken out (I grieve to say it) into military resistance and bloodshed; and if I am not greatly deceived, their continuance menaces the existence of our empire with dangers yet more formidable.

Nor is it only in this view, important as it must appear to every reflecting mind, that the public assertion of the sovereignty of the British crown in India has become a measure of urgent necessity. There is no other possible remedy against the dangers which my noble friend has pictured, not more forcibly than justly, as resulting from the unexplained situation of your government in that quarter of the globe, with respect to the other nations of Europe. We are exhorted by the advocates of the East India Company to guard against the indiscriminate intercourse of Englishmen with India; and some persons have even considered this danger alone as a sufficient motive for excluding the subjects of the British crown from the commerce of half the world. Yet the misconduct of our own people within our own dominions we may controul, as we have hitherto controuled it. But will foreign nations acknowledge the same restraints? Will they submit themselves to a similar exclusion at the will of a trading company, claiming despotic power over that vast empire, not as the delegates of their own king, but as the pretended ministers of a deposed mogul—a feigned authority, derived from an extinct dominion? You know by experience that they will not. The peace of Amiens left this matter unexplained. I urged the danger then, with all the earnestness which it is so truly calculated to inspire. But my representations of it were light and feeble in comparison with those of your government in Bengal. The alarm there was instantaneous, the mischief imminent. And had not the war been first rekindled by European interests, the claims and views of France in India, the lofty pretensions which she derived from her former transactions, both with the native and the British governments, and the determined purpose which she already manifested of re-establishing in that country a political and military power to the subversion of your own, must in six months have involved us in renewed hostilities.

What, then, must we now do to avert this evil?—Our course is plain. The British crown is *de facto* sovereign in India. How it became so, it is needless to enquire. This sovereignty cannot now be renounced without still greater evils both to that country and to this, than even the acquisition of power has ever yet produced. It must be maintained. Let it, therefore, be found, whenever we shall treat for peace, not tacitly existing, but openly assumed, and unambiguously established: it will then rest, at least, on the same foundation with all the other *de facto* governments created by this great convulsion of the world. But if we now omit to declare our right, we must then negotiate for it; or if this also be neglected, we must prepare to meet the evils which recent experience has taught us to anticipate.

In the mean time, that sovereignty which we hesitate to assert, necessity compels us to exercise. Parliament, in the discharge of its highest functions, must now once more give laws to India, pronouncing not on any single and separate question of general or local regulation, but on the whole principle and frame of government under which the British dominion in that country shall henceforth be administered. Such is the task which the awful revolutions of empire in Asia have now cast upon the British nation. What, let me once more ask you, are the duties which it imposes; and what the order in which they should be discharged? The very reverse of that in which, I am sorry to say it, they have hitherto been most commonly regarded.

Must we not, in the first instance, consult the welfare of the country for which we undertake to legislate? Are we not bound, above all other considerations, to

provide for the moral improvement of its people, and for their social happiness; for the security of their property and personal freedom; for the undisturbed enjoyment of the fruits of their industry; for the protection and extension of their agriculture, manufactures, and commerce; the peace and good order of their provinces; and the impartial administration of their laws? These are duties which attach on government in all its forms; the price and the condition of obedience; sacred obligations from which no sovereign power can ever be released, due from all who exact, to all who pay allegiance.

Next to these objects, but far below them in the scale of moral duty, is the attention which we must also pay to the interests of our own country, deeply implicated in this discussion. Nor let us hastily suppose that these duties, however apparently distinct, are really at variance with each other. Far from it.—Pursued with sincerity, and on the principles of a just and liberal policy, there exists between them a close connection, a necessary and mutual dependence. The attachment of conquered provinces can be secured only by good government: the resources which they can furnish to the metropolis must be proportioned to the prosperity which they themselves enjoy.

How then shall we best discharge these mixed and concurrent obligations? What system of British government in India shall carry to its highest pitch of attainable advantage our connection with those vast dominions? In what manner shall it enrich the metropolis without impoverishing the province, render the increase of our own commerce an extension, not a transfer of theirs, and draw from them, without injury to their prosperity, a just proportion of revenue, not as a tribute wrung from misery, but as the willing retribution of gratitude, for protection and good government, enjoyed in substance and not in name? By what laws, what judicatures, what responsibility, shall we prevent the oppression of distant subjects, submissive to all power, and incapable, in the present state of their manners, habits, and opinions, utterly incapable, of political freedom? How reconcile with their progressive improvement, with the gradual diffusion of light and knowledge, the deference due to their subsisting institutions? How shall we teach them to bless the hour which subjected them to the British crown, to venerate as the source of all their happiness the dominion of a nation just, because it is free, careful of the rights of others in proportion as it is jealous of its own, and displaying the pre-eminence of superior knowledge in its best and noblest form, the dignity of superior virtue?

For the accomplishment of all these just and honourable purposes, my noble friend is, I am sure, not less solicitous than myself. Nor would the magnitude of the duty deter him from its discharge. The labour of research, the difficulty of deliberation, the hazard of decision, I know he would not shun. But he hopes to supersede them all by a compendious and summary proceeding. All, and more than all that we seek to accomplish may, he thinks, be found in a measure simple indeed in its proposal, and easy of execution, were it but equally beneficial in its result. It is his opinion, that we should re-establish the now expiring system under which these great interests have lately been administered. He desires us to re-vest in the East India Company, by a fresh legislative grant, all its former monopolies, both commercial and political; varied indeed in some inconsiderable particulars, but retaining unaltered all the prominent and characteristic features. The whole operation of this system he thinks so great a practical good, that all other considerations must be sacrificed to its continuance.

To this proposal the King's ministers do not accede. They are justly desirous to open a free competition in the trade of India. They recognize the irresistible claim of all the subjects of this empire to participate in the commerce of every part of its dominions. They are well apprized, that to deprive India of the resources of foreign trade, would be to violate our first duties towards that country, and to cut off one of the few remaining sources of its prosperity; and they think with reason that it would be an indignity as well as an injury to the British merchants and manufacturers to exclude them from advantages to which we invite all other nations. The monopoly of the China trade they would however, with my noble friend, regrant to the Company; its political functions they would re-establish entire and unimpaired; and they would preserve, if possible, that complicated system under which it exercises its joint, but as I fear, irreconcilable characters of sovereign and merchant. I speak of their plan as I collect

it from these resolutions, laid upon our table without any comment. I trust that I cannot have mistaken its leading outlines, but I sincerely regret that they have not themselves done more justice to it by explaining to your lordships the principles on which it is grounded, and the general views which they have taken of this extensive question.

Such then are the two proposals hitherto submitted to our consideration. And I am compelled to acknowledge, that as far as I am yet informed, they both of them appear to me highly questionable. That of my noble friend rests, as I think, on a policy directly adverse to all the best established principles of legislation and government. That of the noble lords opposite to me is, I fear, irreconcilably at variance with itself. I cannot encourage myself to hope that such a competition as they propose can really so subsist as to deserve the character of a free trade, or to ensure its advantages; a competition where the whole government, and territory, and revenues of India will be thrown into one scale, and in the other nothing but the unprotected enterprize of individual adventurers. To the fullest admission of British skill and capital into the trade of India, I readily assent; I desire it for the interests of that country, yet more than for our own. I applaud the principle, I rejoice in the attempt; we owe it to our own people, we owe it to the natives of our Indian provinces; and every measure which I can persuade myself is really calculated to give effect to it, possesses a strong recommendation, an irresistible claim to my support. In the attainment of this great object, it is my earnest wish to give to the King's ministers all possible assistance which it can be in my power to afford them. Nor do the difficulties of which I am apprehensive, belong to this branch of their proposal; they are superadded to it by the other resolutions with which it is combined.

On this last point indeed I am supported even by the authority of my noble friend who originated this debate. There is in this respect a perfect agreement between us. He thinks with me, that the option must be made between the free and the exclusive system. The advantages of both cannot be combined. The complicated powers of government and trade now vested in the Company are, as I fear, more than sufficient to enable it at its pleasure to overwhelm all private enterprize. The free competition of British merchants in the trade of India, if it could really be established, would, by a necessity equally inevitable, as he thinks, incapacitate them from the discharge of those political functions which this plan endeavours to continue to them. Such also appears to be the opinion of the Company itself. Nor can I differ from them. If then we have really decided, in the very outset of these enquiries, to re-establish the present frame of Indian government, as already producing all practicable and attainable good, we must make with resolution the sacrifices which it unavoidably requires. But if your lordships should judge that the auspicious moment is arrived for improving all our relations with India, to the unspeakable benefit of that country, and to our own inestimable profit, you will then undoubtedly regard the liberation of British commerce as no inconsiderable feature among the advantages of such a change.

I have already said, that I wish not to pronounce definitively on any part of this extensive subject. This discussion is preliminary in its nature; I state my thoughts for enquiry and deliberation, not to convince others, but to receive information for my own guidance. But the strong impression of my mind is, that after having first asserted the sovereignty of the crown over India, our next step should be this—to separate its government from all intermixture with mercantile interests, or mercantile transactions.

The very existence of this blended character of merchant and sovereign, on which our whole Indian system is now built up, appears to me an anomaly inconsistent with all true principles of government, reprobated by all authority, and condemned by all experience. No sovereign, I confidently believe, has ever yet traded to profit; no trading company, I greatly fear, has ever yet administered government for the happiness of its subjects.

But all theory and speculation in this case my noble friend decidedly rejects. He will not consent to try it by any general principles. There is something so singular in the present question, as to put it beyond the reach of all the ordinary rules of political wisdom. To what then would he resort? To partial views, to temporary expedients, to that wretched policy which knows no rule of government but the supposed convenience of the moment? Very

different, I am certain, are his sentiments. He knows, no man better, that it is in general conclusions, collected by experience and methodized by reason, that all science invariably consists, and most especially that science which has for its object the happiness of nations. He knows that in all public councils these digested and embodied maxims are the true guides and luminaries by which our course is to be steered; that this accumulated treasure of political wisdom is the great storehouse of the knowledge of a statesman, from which all his practical decisions must ever be supplied. Its application indeed may be erroneous, as in what human science may not just principles be mis-directed? But shall we therefore tread back our steps in knowledge, close our eyes against the lights we have acquired, and exclude from political deliberation all the established principles and all the elementary rules of government? Better would it be at once to renounce all use of reason, to submit to blind chance ourselves, our actions, and our fortunes, and with the functions of legislation to disclaim also its character and its authority.

But in this case we cannot err. Our conclusions are here supported, not by speculation only, but also by experience: the experience not of parallel cases, but of the very circumstance to which we apply it. Never before were the unerring maxims of political economy so fully illustrated, as in the history of the British East India Company.

That great corporation has now for near fifty years exercised dominion in India: over countries whose commerce enriched their predecessors, as it before enriched so many other European nations. They possess there all the power and all the instruments of sovereignty; governments and councils, fleets and armies, allies and subject princes: they have an immense territory, royal tributes, an imperial revenue. But have they a profitable commerce? My noble friend who presides over that department has anticipated the question; has more than answered the enquiry. He has told us, and I believe his assertion is much within the truth, he has told us, that since the last renewal of their charter they have lost on this trade above four millions sterling. Four millions sterling! in trading with one of the richest countries of the East; a country whose government they administer, and whose commerce they monopolize! and if, at this hour, they do in fact realize a profit on any part of their vast concerns, where only is that profit found? Not on their export trade from England; that trade is a monopoly, and on that it is their boast to lose. Not on their import trade from India, where they exercise unrestricted power; that trade my noble friend has characterised, and the impression of his statement will not, I am sure, be speedily effaced from our remembrance. In China, alone, they trade to profit. In China, where they have no sovereignty, no monopoly, no preference of trade, where they have not even the common benefit of free access. In China, where they are banished, like outcasts, to a remote and narrow corner of the empire, there to reside under a perpetual quarantine!

But it is not for commerce that my noble friend who opened this debate would re-establish these commercial monopolies. With the nature of commerce he is too well acquainted: his object is political. He thinks, extraordinary as it must appear, that this trading Company is the only instrument through which the king and parliament of Great Britain can safely administer their Indian empire! and if he urges us once more to shut out our merchants and manufactures from their best hopes of new and successful enterprize, to close against them all India, all China, the Indian seas, the Eastern seas, the Pacific Ocean, and the whole western side of the great continent of America, extending from the northern almost to the southern pole; it is not because their competition would ruin the commerce of the Company, but because it would embarrass its government. So mixed, so blended, so inseparably embodied, he assures us, are the jarring and incompatible functions of this anomalous institution! So strange is the necessity of this unprecedented case, that we must carry on our commerce at a loss, in order to govern our empire to advantage!

He compels me then to ask, what is in truth this practical and experienced good to which all speculative wisdom must give way? And he answers me by an eloquent and splendid enumeration of political benefits conferred, during the last thirty years, upon the natives of our Indian provinces. Their general situation improved, their interests consulted, their wealth advanced, their coasting trade encouraged, their landed property made permanent, and their criminal and civil justice adminis-

tered on principles more pure and upright, than ever yet were witnessed in Asiatic judicatures. I heard him with delight. My heart warmed at the recital. Not merely because the person making it had himself borne no small part in the execution and extension of these noble works; not merely because I also had the happiness to concur, both in their preparation and final establishment, with men of far more talent and authority than myself. No, my lords, my feelings were not personal. Higher and better were the emotions of my mind when I looked back to the real source in which these inestimable blessings had originated. I called to my remembrance the wisdom and justice of parliament, the public councils, and the public virtues of my country, which had extended themselves to the remotest regions of the East, and erected there to the British character a monument of imperishable splendour.

But the East India Company! Are we to give power to *them*, because India has been well governed? Are we to bind our trade in fetters that *they* may exercise political authority? I have no wish, I can have no motive, to speak injuriously of any men; neither of bodies nor of individuals. But I appeal to the fact. For near twenty years after the acquisition of the Dewannee, the East India Company did really administer the political government of India.—During that period, scarce five years, scarce three years can be found, in which the inherent vices of that form of administration, and the consequent oppression and misery of its subject provinces, did not forcibly compel the interposition of parliament. It would betray the profoundest ignorance of men and governments, to suppose that this necessity, so long subsisting, so constantly recurring, could originate in the uniform misconduct of individuals. The directors, the governors, and the servants of the Company, in the course of that long period, were necessarily men of various character; but the system itself was radically vicious, which vested the government of an empire in bodies utterly unfit to exercise any political authority. I say this, not merely on my own conviction; it is the recorded judgment, the unanimous opinion of parliament, formed upon long investigation, minute enquiry, and mature reflection. When I first entered into public life, party violence raged with unusual fury, and the course of events directed it peculiarly to this question. It was on this very ground that the government of the empire was disputed between the greatest statesmen of our age. Yet in one sentiment all men were even then unanimous. No one doubted, and after the experience of 20 years, no one could doubt, that the political direction of India must be transferred from the East India Company, and placed under the complete controul of the public councils.

Accordingly the law which passed in 1784, the source of all these benefits, the very line of demarcation, from which commences the good government of India, did actually commit this whole authority to commissioners appointed by the crown. In the public board, so constituted by the wise and necessary interposition of parliament, and continued, with slight variations, by succeeding acts, has ever since resided, a complete and effective superintendance over every part of the political affairs of India. That government has still been exercised, indeed, in the name of the Company, as the Company also has used the name of the Asiatic powers, whose misrule it superseded; but both the controul and the responsibility of all political measures, are vested by law in the public servants of the state. The commerce and the patronage of the Company are alone excepted; points of which I shall presently speak; but on all other matters which any way concern the public interests in India, it is the office and the duty of the King's commissioners, at their discretion, to exercise a complete and unqualified political controul. It is their function to erase, to add, to alter, and, in the default of the directors, to originate those instructions, which, by law, the public servants in India are bound implicitly to obey.

If, therefore, praise be justly due, as I trust it is, to those who, for the last 30 years, have administered these high interests, to the servants of the state, both here and in India, that praise is due, and most especially due, to one individual; a noble viscount (lord Melville) of whose memory no man, in treating of any Indian question, can justly speak, but with sincere and merited respect.

What a delusion would it then be, to relinquish any just hopes of extending the commerce of our country, from the fear of embarrassing the Company's political functions! If you really wish that body to reassume the political government of

India, you must not continue, but repeal the present laws; you must replace them, not by the successive improvement of new provisions, in principle still more liberal, in operation still more beneficial, but by a recurrence to exploded errors, by the re-establishment of that fruitful source of all the former evil, by the re-enactment of that ruinous and oppressive system, which, 30 years ago, was unanimously annulled by parliament.

The Company's commercial concerns, it is true, do not fall under the superintendance of the King's commissioners; in the loss or profit which have accrued on these, in their prosperous or adverse issue, the Board of Controul has had no participation. And it is singular that my noble friend who is desirous of maintaining, as he expresses it, to the Company, those functions of which they have long been substantially divested, would, at the same time, by a new interference with their authority, extend the controul of the King's government to the only branch of their affairs, of which they have hitherto retained the exclusive direction. I always feel pain in differing from him on any subject, and most of all on this, where I should so much more willingly defer to his authority. But, for my own part, I object as much to limit the power of a trading corporation in the conduct of its own concerns, as to extend it to political matters to which it is incompetent. I see as little reason for placing the Company's commerce under the management of ministers, as for vesting in its directors the government of an empire. From this union of merchant and sovereign, in any form, my judgment revolts; they are characters every where incompatible; in a cabinet as much as in a trading company; as repugnant to each other at Whitehall as experience has proved them to be in Leadenhall-street and at Calcutta.

Great stress is laid, however, on the subject of patronage, and with great reason. I have never altered the opinion which I entertained in 1784, that, if the influence which then belonged to the East India Company were vested in the crown, or in any political party, it must weigh down the balance of our government. Much more is this my opinion now, when the patronage, both foreign and domestic, of that mighty corporation, has been unmeasurably increased. But is there no other course? Is it self-evident, that, because we fear to give this vast influence to a party, we must therefore vest it in an exclusive corporation? Is it so manifestly desirable to raise up within our own government, and in the very heart of its metropolis, another government of more extended influence? Has the East India Company itself been always found quite disconnected with the political divisions of the state? or is it absolutely certain, that in their hands, the patronage of India can never be abused? Parliament, at least, has decided otherwise. By the Act of 1784, the whole commercial patronage did indeed remain with the directors; and with them, large as it is, it must undoubtedly be left. It is by far the most considerable source of that great political influence which the Company does now actually exercise in this country; and its abuse, for who will deny that abuse there is, would in no way be so well controuled as by the competition of a free trade. But on the exercise of the political patronage, provident and effective limitations are already imposed by law. And it is, as I think, one of the most important branches of our present deliberation, to examine the nature and effect of these; to ascertain whether they have, as I am inclined to hope, been on the whole sufficient for the attainment of their purpose? Whether they are not still susceptible of improvement in India? Whether they are fit to be extended to the other parts of our eastern empire, to Ceylon, to the Isles of France, and to the Eastern Islands, where the establishments are as yet unregulated by law, and the patronage of the crown unlimited? And, most of all, to enquire whether it be true, as we are so frequently assured, that these securities against abuse are inseparably connected with the present form of government in India; or, whether they might not, as I confidently believe, be applied with equal, perhaps with greater efficacy, to the same service, administered under the constitutional authority of the crown.

Let us then examine the fact. It is well known how great the influence of the King's ministers already is in the appointment of those who are to exercise the supreme authorities in India, whether civil or military. The reason of the case has here controuled the strict letter of the law. And it would, in my judgment, be far more constitutional, that the responsibility of the nomination should openly attach on those, who have in almost every instance for thirty years discharged the duty of se-

lection. But with respect to the offices of inferior trust in India, including all below the councils, the general course of promotion there both in the civil and in the military line has rested, as I apprehend, where unquestionably it ought to rest, with the governments on the spot. They are best qualified to discriminate the characters of those who act under their inspection; they are most immediately concerned to reward the merit, to discountenance the misconduct of those who are to execute their orders. Such then, I trust and I believe, is now the established practice; and few who are conversant with the affairs of India will deny, that more inconvenience than advantage has already arisen, and is likely to arise in future, from an occasional interference with it, whether on the part of the crown, or on that of the East India directors. To your governments in India only can this authority be safely entrusted. But undoubtedly a power, in itself so considerable, and administered at so great a distance, cannot be, nor is it, left without limitation. The law has done much to remove the opportunity, and with it the temptation to abuse. By the Act of 1784, an invariable course of succession by seniority was established, both for the civil and the military service in India. By that of 1793 the strict letter of this rule was a little, and but a little, relaxed. Under that law, fixed classes and gradations of office have been established in India, of rank and value proportioned to the length of service by which alone any servants, even the most meritorious, can be qualified to hold them. Within these limits all exercise of patronage is restrained, and the effective operation of this principle has been considerably extended by a judicious but perhaps still imperfect separation of the lines of civil service. But by far the most important provision, without which no other could be effectual, is found in those clauses of the Act of 1784, which corrected the abuse of appointing to high stations in India persons new to that service. No office under the government of our Indian empire can now be conferred except upon its regular servants, sent out in early youth, and trained to superior trust by the correct discharge of subordinate employments. When your lordships consider, therefore, the jealousy with which the execution of all these regulations is watched by a whole body of public servants whose prospects depend on their observance; and when you further reflect that the persons from among whom alone the selection must in every case be made, are few in number, and that they have all originally been named in the outset of their life by various choice, unmixed with politics, and from different classes of society, it will no longer surprise us to be assured that the political divisions of the state, have, under this system, found no admission into the exercise of Indian patronage.

But how can it possibly be shewn that these wise provisions of the law, this salutary course and gradation of public service, depend upon the East India Company's authority? The King's civil service in India, should such be its future appellation, would equally subsist under the same regulations, secured in the same prospects, animated to the same exertions, protected by the same just interposition of the law against the noxious influence of political intrigue, and deriving only fresh distinction to themselves, and fresh respect among the powers of India, from the stamp and sanction of royal authority.

. To blend, indeed, as has been sometimes recommended, into one indiscriminate mass the general army of the crown and the local force of India, would be the inevitable ruin of the empire. I have no doubt of it. The military patronage of the crown, already so great, would then exceed all bounds; we should lose the inestimable advantages of local education, knowledge and habits, so necessary for the command of native troops: and the unjust partialities, preferences, and supercessions to which the distant service would infallibly be exposed, must soon break down its military character: must, too, probably renew, I shudder to pronounce it, the criminal scenes, which we have so lately witnessed, of mutiny and public rebellion.

Very different is the system on which I am disposed to hope that this valuable army might be taken as a distinct force, under the King's immediate protection and command. Preserving to it all its local character, and local advantages; securing to it a complete parity of rank and promotion with the King's general army; and blending only the staff of both into one body of general officers, qualified by commission, as well as by merit and service, and called by habitual and indiscriminate appointment, to exercise command over British troops in every quarter of the world. These details however are not for this day's discussion. It is sufficient for

our present purpose to remark, that the rules of gradation now actually existing in that service, and guaranteed to it by law, must be broken down, before it can become, in the hands of the crown any more than in those of the Company, an object of political patronage. And if these rules are thought insufficient, let them be strengthened and enforced. The nature and composition of an Indian army, its duties, its rewards, and its prospects, will be found, by those who consider the question attentively, to admit and to require rules of succession much stricter than are consistent with the general principles of military advancement.

It remains, then, only to speak of the appointment of the youths by whom these services must be recruited; the writers, as they are called, and the cadets, who are to rise successively to the highest functions of civil and military trust. They are now named by private patronage; nor would I ever consent to vest this influence in the King's ministers. Not merely because it is itself greatly too large to be so given without necessity, but much more because all possible security for the due exercise of patronage in India, depends on the disconnection of the great body of the public servants there from the domestic parties in our state. But is it therefore necessary that these appointments should be made by the East India Company? Or does not the very same principle apply, though doubtless in a less degree, as an objection against their exercising such a trust? Can it be supposed that the controul over the conduct of these public servants will always be justly exercised by those with whom their appointment has originated? In whatever hands the government of India shall now be placed, it is just, it is necessary, to provide some new course of impartial, and what is not less important, of mixed selection, for keeping up your civil and military service in that country. Nor can the task be difficult. Innumerable are the modes in which it might be accomplished. The most obvious course would be, to choose the young men who are destined for the civil service by free competition and public examination from our great schools and universities: to name the cadets not by the choice of any man; but by some fixed course of succession from the families of officers who have fallen in the public service. In this manner would the patronage of India, instead of contributing to political influence, or to private gratification, serve as a reward of merit, as an encouragement of valour, learning, and religion, and as an honourable discharge of public gratitude: and the persons destined hereafter to administer the government of millions would be those only who, even in their earliest youth, had afforded some promise of superior talent, diligence, and virtue.

On this branch of the subject your lordships will think that I have too long detained you. But it is only by such details that loose and general assertions can be brought to issue, that imaginary fears and groundless prejudices can be dispelled. It must I think be clear to every one, that the apprehensions entertained on this point are of that description. Your lordships may doubt, on other grounds, whether or not to separate the commerce from the government of India. This at least is certain, that their union contributes nothing to the security of the British constitution.

But is it compatible with the prosperity and good government of your Indian provinces, or with that free competition in their trade which our fellow subjects claim on grounds justly pronounced irresistible? For these are the questions which we are now to examine, and very closely are they connected with each other.

What is then the true nature of this union, so often described to us as indissoluble? What necessary, what real connection subsists between functions so different in their character and object, and which in every other instance we always find so carefully discriminated? The commercial and political accounts of the Company have, indeed, long since been blended into one texture, so complicated in its fabric, so artificially and intricately interwoven, that, in their present form, the separation is perhaps impracticable. After long investigation, the committee of the House of Commons, whose Report is on your table, judged it impossible that they ever should be unravelled. And that Report accordingly has presented to our view not an *account* but an *estimate* of profit and loss on the commerce of the Company since the last renewal of the charter. An estimate of the future is a thing familiar to all our minds, but an estimate of past transactions, an estimate of matters of account, an estimate of commercial dealings long since closed, has little to recommend it but its singularity. Let not however this remark be misunderstood as

applied in any invidious sense. I have no such meaning; the fault is in the system, not in the individuals, who conduct it according to the forms which they have found established. But no real necessity can exist for their continuance. In whatever manner your lordships shall finally arrange the great outlines of Indian government, this confusion of account I have no doubt you will prevent in future. Should the resolutions now on our table be adopted, and much more should you agree with my noble friend's proposal, you will undoubtedly make it imperative on this great trading corporation to keep clear and distinct accounts of commercial loss and gain, unmixed with any other source of receipt or payment. This is expected from every just trader even in his own concerns; it is the bounden duty of all who conduct commerce in trust for others.

But I have already said that in my view of the subject we are called upon to go much farther: to separate not merely the accounts, but the dealings; and to discriminate the exchequer from the counting-house in India, not on paper only, but in practice, and as widely as they always are discriminated in every other well-ordered government. By one of the resolutions now upon your table it is directed in substance, that the public revenues of the state in India, after defraying the charges of government and interest of debt there, shall next be applied to the purchase of the Company's investment. And it is this appropriation of revenue to trade which forms, under the present circumstances, the principal link of connection between the Company's political and its commercial character. To its continuance therefore my noble friend, who wishes the permanence of the present system, naturally sees no objection; but I must confess it is of all the provisions of the plan before us, that, to which I should with most difficulty assent. I know not how to reconcile it with either of the objects which we seek to accomplish; it seems to me equally adverse to the good government and prosperity of our provinces, and to the just claims of the British merchant to a free participation in their commerce. The limits of this discussion will not admit of my entering at large into this extensive question. Some other opportunity may possibly be afforded for its detailed examination. In such an enquiry it will be necessary to trace through all their different stages, the course and operation of an investment provided by issues from the public treasury in India, and sold to realize a remittance to the Company in Europe. One striking feature occurs in the very outset of the transaction. It is that to which my noble friend adverted as affording in his view a gratifying and satisfactory proof of the advantages resulting to your Indian subjects from a government which combines the functions of merchant and sovereign. He reminded us that for the very purpose of manufacturing the cloths of which the investment is afterwards to be composed, advances are in the first instance made to the weavers from the public treasuries in India. I own I was surprized to hear this practice relied on as beneficial to the country. It may have become necessary to the maintenance of this involved and complicated system. I do not deny it. But in that case how much must we abate of the confidence which we should all so gladly have reposed in the glowing representations of Indian prosperity! What, let me ask you, what is the real condition of an empire whose industry is supported only by advances made from its revenues? In countries impoverished and exhausted by a long course of public calamity, and in those where no commercial capital has ever yet grown up, commerce I am well aware is sometimes carried on solely by the credit and resources of the exporting merchant. And in those cases a gradual accession of wealth will, in the ordinary course of trade, accrue to the nation which thus attracts the capital of others; and the very evil itself, such are the beneficent dispensations of Providence, will finally remedy the distress in which it had originated. But how widely different from this is the case where the capital which sets to work the industry of a people, is furnished only from the taxes which they pay: where the sovereign, himself the exporting merchant, sends out their manufacture without return; himself the internal trader, purchases it only from their own resources; himself the master manufacturer, maintains the artisan at the cost of the labourer, and claiming to be himself also the paramount proprietor of the soil, actually collects in kind the raw material in payment of his territorial revenue. By what part of such a trade can the country profit? What freedom, what security, what competition can exist in commerce so conducted? What health or vigour in the community which thus draws from its

own veins the only nourishment by which the vital circulation is maintained? We may hope indeed—I speak it not in flattery, but in the sincere conviction of my heart—that the spirit which pervades our Indian service, the liberal and enlightened principles on which the public interests are there considered, and the anxious solicitude displayed on every occasion for the prosperity of the people whose government we administer, do afford in the execution of this system every possible alleviation which from its nature it is capable of receiving. Nor am I unapprized that under still greater discouragements than these, such is the elastic force of human industry, when secured in peace and protected by law, the population, the products, and the wealth of any country will increase: and most especially of one so highly favoured in soil and climate. But the system itself, unless I greatly misconceive it, is fruitful only in evil. It exhibits the hand of government not fostering the improvement of its people, but pressing on their industry in every stage, interfering with all their occupations, and meeting them in every market with the public purse. It raises and depresses arbitrarily the sale of their produce and manufactures, by transactions too large for counteraction, too uncertain for private speculation; founded on no just combination of mercantile adventure, but regulated solely by principles of political convenience, the state of the public treasury, and the estimated increase or diminution of the national expenditure.

I know indeed that a portion of the revenues of the state in India must be remitted to this country. Some contribution perhaps we may hereafter expect from thence to the general expences of the empire; but for this I think we should not be impatient; the prosperity of a dependent province we ought to value far beyond its tribute. Present provision must however be made for the interest and gradual reduction of political debts, contracted in that country, and transferred to England under the sanction of the king's commissioners, and the authority of parliament. We must also secure the due payment of allowances granted in retribution of public service, and the means of defraying regularly other charges of various descriptions which must be incurred at home for purposes of Indian government. These no doubt are obligations binding on the sovereign of India; and my noble friend, while he attaches that character to the East India Company, is justly apprehensive of any competition which could interfere with their punctual discharge.

The speculations of private traders, he says, would anticipate the Company's sales, derange their estimated receipts, and expose their public credit to great hazard. I answer, that if the separation of government and commerce were duly made, this difficulty would cease at once. Against commercial disappointment, commercial prudence would provide, and no man would propose to burthen the Company with the expences of Indian government, if they no longer disposed of its resources. But let us suppose the contrary decision taken. Let parliament determine still to administer our Indian empire in the name of the Company, and under their ostensible authority. The case will then be different? Undoubtedly it will. To them, on their account, and to support their payments, these remittances must then be made. I admit it. For these purposes they will represent the government of India. But it will not follow of necessity that the remittances must even then be made through their investments. We may still ask, what would in truth be the most profitable mode of conducting these transactions? We may enquire on what ground it is thought advantageous that any government, be it the King's or the Company's, should issue money from the public treasury for the purchase of goods within its own dominions, to be resold on government account in the country to which its remittances are to be made? If I am not greatly deceived, this is a proceeding not less objectionable in India than in England. The principle of the transaction is not varied by its place. If the noble earl opposite to me (lord Liverpool) should this year be required to remit a subsidy to Hamburgh or to Stockholm, is this the course he will pursue? Will he send his agents into our ports and manufactories to purchase the sugar or the woollens in which the remittance will really be made? And will he then throw these articles in a mass into the foreign market, solicitous only to realize the sum he wishes to obtain there, and comparatively indifferent to the profit or loss of the transaction? Undoubtedly not. He will contract as cheaply as he can, and probably by open competition, with merchants for their bills; through them his whole purpose will at once be accomplished; and with them it will remain

to complete the transaction, in the successive operations of their own commerce, carefully adjusted by private interest to the perpetual fluctuations of demand. A similar course, it should seem, may with similar advantage be pursued in India. The treasury at Calcutta, may, like the treasury at Whitehall, disconnect itself wholly from the transactions of the counting-house; this might be done with equal facility even though both should be continued under the same supreme direction. The Company's trade would then be conducted on true mercantile principles of profit and loss; and its government would, according to the same maxims of public œconomy which are pursued by other governments, make its remittances by fair competition on public tender, open to all alike, in India as in England, to the Company's commercial agents, or to the well accredited houses of private individuals.

No doubt such remittances, like any tributary payment made in whatever mode, must still in some degree be detrimental to the prosperity of India. It is a drain for which no return is made but in protection and good government. Yet if conducted through the channel of an open trade, and limited most scrupulously in their amount by a due consideration of the condition of the country which supplies them, I see no reason to believe them inconsistent with its rapid and permanent improvement. This is the ordinary condition of a dependent and tributary province. What I object to is that peculiar course of policy which not only exacts the tribute, but monopolizes the commerce: compels the payment, and forestalls the resources which should provide it. And this too in a country where few and inconsiderable offices of civil trust, where no office of military trust, is as yet in the hands of the natives: where the fortunes realized by all who govern, and by almost all who trade, are at no distant period remitted also to the metropolis. It is indeed this last circumstance which is, in my judgment, by far the most alarming in the nature of our connection with India. How the pressure which this produces can ever be resisted is a fearful consideration.

What a powerful motive does it then suggest to us for throwing open the ports and markets of India to British capital and enterprize, for inviting to her harbours the ships and merchants of every quarter of the globe, and securing to her, as far as legislation can secure it, the fullest benefit of the most unqualified commercial freedom! If evil so extensive and alarming must unavoidably result to her from her subjection to a distant sovereignty, let it at least be compensated by the unrestricted enjoyment of all her local advantages. The anxiety which I feel (I have already so stated it), is not for the transfer but for the extension of Indian commerce; not, as some have expressed it, to give to Englishmen the benefit of that trade which foreigners now enjoy, but to give to India the benefit both of British and of foreign trade. To administer those vast possessions on any principles of colonial monopoly would be impracticable if it were just, would be unjust if it were practicable. In a British House of Lords I trust we are not deliberating on the means of ruling sixty millions of men in sole subserviency to our own advantage; nor if this were our object, should I consider the establishment of such a system as in any manner calculated to promote it. But it is as much the moral duty of a British statesman to consult the prosperity of that, as of every other portion of our empire. Subjects of the same sovereign, members of the same community, we submit ourselves with equal obedience to the same legislature, and we are entitled to receive from it the same protection: varied indeed in form, and adapting itself in its regulations to the differences of local situation and moral character; but directed always with an impartial hand to the same common object, that of promoting the strength and greatness of the whole by carrying to the utmost practicable height the prosperity of every part.

To our own merchants an open competition is sufficient. They ask no more. To this, and not to any exclusive privilege, the King's ministers have recognized their just pretensions. But still more powerful is the appeal which reason and nature urge to us, in behalf of the people of India. Irresistible indeed is their claim to a free trade limited by no corporate privileges, no national monopoly: a free trade not merely with their fellow subjects in Europe, but also with every friendly nation throughout the habitable globe. It is the glory of our ancestors, that in the first moments of recovered freedom, in the hour when commerce and legislation were but as yet beginning to dawn on Europe, they recognized the rights of commercial interchange between

mankind, proclaimed to foreign nations a secure and unmolested intercourse with the ports and markets of our country, and sanctified this just and beneficent principle to all succeeding times by incorporating it into the great charter of their own liberties. By what different rule shall we, their descendants, in this more liberal and enlightened age, with morals humanized by knowledge, and benevolence animated by purer religion, administer the interests of this vast empire, which the unsearchable decrees of Providence have subjected to our dominion? Provinces, whose industry, and arts, and commerce are far more ancient than our own! Kingdoms which by the free exercise of these their natural advantages had already risen to opulence and refinement, while we were yet sunk in barbarism!

Never therefore shall I regret, never shall I remember but with heartfelt satisfaction, that my name is subscribed to that treaty which opened to our East Indian territories the commerce of America. I adopted the measure on the deliberate conviction of my own judgment, and with the full concurrence of the person (lord Melville) to whose immediate superintendance the public interests in India were then committed: nor did he, I am certain, omit to communicate upon it with those who had then the principal direction of the Company's affairs. But I rest on no participation of councils; submitting myself willingly to the whole responsibility of that decision; and were the happy moment now arrived when peace shall be restored between two nations not more closely united in origin than interest, I should be found an earnest advocate for re-establishing the commerce of America with India.

But if we admit these principles we must act upon them to their just extent. If we are really desirous of imparting to that valuable portion of our empire the benefit of universal commerce, or even if with a narrower purpose, and more limited views of public policy, we seek only to open to our own merchants the advantage of a trade with India, we must establish it on equal competition. This is its natural foundation, on this alone can it stand secure. Of the effects which the present system appears to me too likely to produce on the internal prosperity of our provinces, I have already spoken; very imperfectly indeed, and much more with the view of suggesting matter for future consideration than of entering at this time into the numerous topics of so large and interesting an enquiry. But for the full examination of this great question it will be necessary that we should also consider in what manner the continuance of that system would probably affect the transactions of the British merchant: lest in the very moment in which we recognize his rights we should substantially defeat them, and with the purpose of conferring new benefits upon him, find in the result that we have only deluded him to his ruin. The extent to which the Americans had carried on their trade in India before they were at war with us, is the example to which the mercantile interests in England look with the greatest confidence. It has been ascribed by the Company to the peculiar privileges which that people enjoyed as neutrals; their opponents attribute it to the general advantages of private over corporate management. Both causes doubtless contributed to produce it. But the first has already ceased; and were it revived, it could be temporary only, nor could it in any case apply to the British merchant. Will, then, the latter be sufficient, on the return of peace, to protect his private trade against the operation of the present system? I greatly doubt it. I will not dwell on the unequal footing on which the parties will meet in India: the agents of individuals in competition with the servants of the sovereign, and this in transactions with a people by whom, as my noble friend has emphatically told us, the intimation of a wish from a superior is always received as a command. I will suppose in the Company itself, I will suppose in all its agents, even the most distant from the seat of power, a forbearance almost miraculous, a perpetual self-command, subduing all the ordinary feelings and passions of mankind. Habit, interest, jealousy, the love of power, the desire of recommending themselves to their superiors, and the wish to assert their own consequence over importunate rivals; let all these be kept in perpetual subjection. In dealing with the natives, even with the weavers, whose labour the public treasury now engrosses by anticipated payments, I will suppose that the private trader finds himself henceforth completely on a level with the Company. Is he so in the nature of his adventure? The Company now trades to loss in India; the future proportion of that loss cannot even be conjectured by the

merchant who is to maintain a competition with it. It depends on no commercial principle. Equally foreign to his speculations and inapplicable to his concerns are the resources which supply this losing trade, the necessity which compels it, and the advantages by which it is supposed to be compensated. To the Company the profits of the China trade will more than cover the deficiency; but from that trade you shut out the merchant. His trade with India will be a trade of barter, for profit on his own commercial capital; the Company's a trade of remittance; to be supplied from the surplus revenue of the state, aided (as it has already been in failure of that surplus) by the public credit of the sovereign of India, and that again upheld by the public credit of the British legislature. To the merchant a profit is indispensable, to the Company's treasury in England we might almost call the loss itself a source of profit; if it defeats the speculations of their rivals, and enables them by the sacrifice of 10 per cent. on the remittance of revenue, or of loan, to realize ninety. In the merchants' hands a losing trade must stop; in the Company's, it produces as we see no abandonment, not even a suspension of the concern. For 20 years this losing trade has been unremittingly pursued; for 20 years longer it will most probably continue if these resolutions are adopted. This is the very principle on which they rest. The political expences of the Indian government, if blended with the commerce of the Company, must through its commerce be discharged: the revenues of the state in India, if appropriated there to the purchase of investment, must by the sale of investment be realized at home: to meet the payments already engaged for, the goods must be sold, if not at profit then at loss; if not at the present rate of loss, then at whatever increased proportion of deficiency may enable the Company to defeat the competition of their rivals, and to prove to future parliaments that the experiment of a free trade with India has been found impracticable!

It is true, that under the operation of this system, and with much superadded difficulty from restraints imposed by the Company, a large private trade has been carried on through their intervention from India by British subjects. A pleasing proof, no doubt, of the incompressible force of commerce wherever the natural power of demand is suffered to operate, even under the most harassing restrictions. But little argument can be drawn from this experience to justify the expectation of success to separate and unconnected British adventure. It must be considered that this trade also has been a commerce of remittance; carried on not from profit on British capital embarked in a traffic of mutual return, but to supply to the public servants in India the necessary means of bringing home their fortunes.

Let it also be remembered, that this principle of loss is not confined to the sale of goods received from India. It pervades both branches of the Company's Indian trade. Their losses on export from this country are not even disguised; their advocates proclaim the fact, and boast of it. So habituated are we in considering the complicated relations of this great Company to confound all principles of government and policy, that this annual waste of the property with which they are entrusted is actually urged on their behalf as a sacrifice which they make to the national interests, and as a claim upon the gratitude of parliament. Yet, if loss is incurred in this case, by whom is it sustained? Not by the directors themselves, that would be wholly unreasonable; not by the proprietors of India stock; they receive, and must receive, their undiminished dividends: the loss falls on the public treasury—on the people of England, whose participation of Indian revenue must be still farther postponed by every fresh embarrassment in the Company's affairs; and whose representatives are called upon year after year to supply in loans, in forbearances, and in facilities of public credit, the deficiencies of this uncommercial system.

But let us admit, if it be necessary, the merit of this proceeding; its effects will still remain the same. If, in fact, the export of British manufactures is now carried on to loss, with what hope of advantage can we invite our merchants to participate in it? To them it can be rendered profitable only by bringing back to just commercial principles the commercial transactions of that great body with which they must maintain a competition. Let this be done, and the result will not be doubtful. Let the vigilance of self-interest, let the skill and enterprize of private traders be fairly opposed to the routine of corporate management, and in that contest we know beforehand which side will triumph. Remove the restraint of law,

deliver us from the competition of the public purse, and the British merchant will make his own cause good!

To what extent his trade may then be carried, presumptuous indeed would be the man who shall now venture to pronounce. On what evidence, what conjecture, would he found his judgment? What present knowledge, what past experience of India could possibly decide that question? No commerce, Trebatius or Quintus Cicero returning from a campaign in Britain would probably have informed the Roman senate, no commerce can ever be carried on with that uncivilized, uncultivated island, divided absolutely from the whole world by tempestuous and unnavigable seas, and inhabited only by naked and houseless barbarians. No commerce, some sage counsellor of Henry or Elizabeth might with equal authority have assured those monarchs, can ever be opened with the dreary wilderness of North America, a land covered with impenetrable forests, the shelter only of some wandering tribes of the rudest and most ferocious savages. Yet of these predictions the folly might be palliated by inexperience. In the defect of better knowledge such conjectures might even pass for wisdom. But what shall we say of those who deny the possibility not of opening new sources for the commerce of mankind, but of enlarging its present channels? Who tell us that the trade which we now carry on with India must in all future time be limited to its actual amount? Strange and unprecedented necessity! which has thus set bounds to human industry and enterprize, arrested the progress of commercial intercourse, and by some blasting and malignant influence blighted the natural increase of social improvement! With full and confident assurance may we repel these idle apprehensions. By commerce, commerce will increase, and industry by industry. So it has ever happened, and the great Creator of the world has not exempted India from this common law of our nature. The supply, first following the demand, will soon extend it. By new facilities new wants and new desires will be produced. And neither climate nor religion, nor long established habits, no, nor even poverty itself, the greatest of all present obstacles, will ultimately refuse the benefits of such an intercourse to the native population of that empire. They will derive from the extension of commerce, as every other people has uniformly derived from it, new comforts and new conveniencies of life, new incitements to industry, and new enjoyments in just reward of increased activity and enterprize.

But it is a very narrow view of this question to confine it to the direct trade of India with Great Britain, or even to the whole commerce, British and foreign, of that vast empire. Other objects of still larger scope, other benefits of still more extended operation, are necessarily included in this decision. The first which presents itself, is the trade with China. This it is proposed again to place in the exclusive possession of the Company. Such a determination I should deeply lament, as inconsistent, in my judgment, both with the principle on which the trade to India is opened, and also with the fair enjoyment of that concession. It is only by the China trade that the Company now profits. Shall we, then, invite our merchants and manufacturers to participate in loss, to struggle against unproductive purchase and depreciated sale, but where the just gains of commerce present themselves shall we there raise new barriers against their industry? Shall we admit them to the commerce of our own dominions, because foreigners must also trade there, and shall we, in the same breath, refuse to them the liberty of trading to a foreign country? And on what footing will this refusal place them in respect even of the Indian trade? Is it meant to close against them all liberty of trading with China? To foreigners that liberty cannot be refused. Is it intended only to prohibit them from bringing China goods from thence to England? That privilege the Company is to monopolize. How then can they maintain a competition in India, either with the Company or with foreigners, by both of whom superior advantages are enjoyed? Let us represent to ourselves two traders in India, carrying on their rival business;—not as in this case, the sovereign in competition with those who reside under his government, a mighty corporation against an unaided individual, the public exchequer against the funds of private trade,—let us suppose them both British merchants, in all other respects on a footing of complete equality, except that the one is limited to make all his returns direct to Europe, while to the other you give the option of a circuitous trade through China. Could it be doubtful on which side the balance

would preponderate? Especially after what my noble friend has told us of the great amount and profitable nature of the present trade of our Indian territories with that country.

But were it desirable to exclude the whole body of our merchants from all share in the trade with China, how could this regulation be executed? Its object is understood to be the security of our own revenue. No man, I am sure, is less disposed than I am to interfere with that essential object. Could I be satisfied, that the safety of the public revenue does really require this sacrifice, great as it is, I should still say it must be made. But were it so, I repeat it, how then could the provision be enforced? The trade of the British merchant with the eastern islands we know must be free. This admits of no doubt: to a monopoly in that quarter, the Company could scarcely urge even the insufficient claim of past possession. Let us then suppose the private trader admitted there to free navigation and commerce, but excluded by these resolutions from direct access to China. What follows? Every article of the commerce of China which he wishes to procure, its cottons, its silk, its tea, will be brought to him in country vessels to whatever port he chuses of the Eastern Archipelago. Against this danger, as some would call it, against this great advantage as I consider it, what precaution would the spirit of monopoly devise? Shall we meet it with the revenue system by which the British coasts are guarded? Can we establish along the whole extent of Java and Sumatra, and Malacca, our entries and clearances, our bonds and certificates and dockets, as in the port of London? Can we build British custom-houses in all that vast chain of countless islands which encircles the seas of China, placed there as if in mockery of such a vain imagination, and stretching in uninterrupted continuance from Ava almost to New Holland, and thence again northward by Borneo and the Philippines to the very boundaries of the Russian empire? It would be to consider such a project too seriously to remind your lordships, that the whole army of revenue officers now employed throughout the British empire, with all their expence, and patronage, and influence, would not suffice to execute the smallest part of such a provision, which, if it fails even in a single instance, is defeated in the whole; where, if any one channel of escape remains unclosed, the whole dyke, with all its difficulty, and cost, and labour, becomes only an useless burden to the earth.

To Europe therefore, not indeed by lawful trade, but in despite of all your prohibitions, and by that very contraband, if contraband it could be called, against which your exclusion is directed, every article of China produce and manufacture will easily be brought. But you may at least prohibit your own merchants from bringing them into the British ports. You may so. And whenever peace is restored to Europe, the consequence will be the same as the same prohibition has before produced. Ostend, Calais, Boulogne, the whole coast of the narrow seas, will again be lined with depôts of tea for smuggling, of tea brought there by British trade from the eastern islands, or by foreign trade direct from China.

For in truth, my lords, not only is the provision impracticable, the object itself is hopeless. Our past experience teaches us with unerring certainty, that in peace the revenue which we raise on tea cannot at its present rate of duty be collected. In 1785, the Company's monopoly was in full vigour; and the revenue had the whole unqualified benefit of every security which that system could provide. No British vessel could, at that time, without the express permission of the Company, enter into the seas of India, or of China, into the Ethiopic, or the Pacific Ocean; yet parliament was even then compelled to reduce the duty, and we commuted it for a burdensome tax on our own houses. How much greater will now be the difficulty of collecting this revenue, after you shall have opened to British vessels, as even these resolutions purport, all the ports of the East except those of China alone.

The rate of duty must, therefore, again be diminished whenever peace returns. No man questions it. But it is of great importance to remark, that the necessary amount of this reduction will very much depend on the system by which the trade is carried on. Beyond a certain standard, the price of this commodity cannot be raised. If you exceed it, the advantage which you give to contraband, destroys the lawful trade, and undermines the revenue. Of that price, the prime cost forms comparatively a small part, the commercial charges and the duty constitute the remainder. In proportion,

therefore, as the one is augmented, the other must be reduced. Import cheaper, and you may levy a higher tax; increase the cost at which you receive the commodity, and you can add less to it in the form of duty. And if it be true in this case, as in every other, that a trade of monopoly will be carried on less œconomically than a trade of competition, the conclusion is irresistible. The reduction of duty must be greater, and the defalcation of revenue must be made good, as it was before, by other and more burdensome taxation.

But in speaking, however imperfectly, of these various branches of this extensive question, I have as yet not even touched upon that point which is in my view by far the greatest object of advantage to this country, in opening to the British merchant that vast tract of land and ocean, from which he has been hitherto shut out by the Company's exclusive charter. To anticipate with too much confidence the course of any commerce as yet untried, is not less hazardous in political than in mercantile speculation. But if there ever were two countries apparently destined and formed by nature for commercial intercourse, those countries are the southern provinces of Asia, and the western shores of South America. The precious metals in which the one abounds, have always, from the remotest antiquity down even to the present hour, been the staple article of import into the other; the produce and the manufactures of which are again peculiarly suited to the consumption of climates so congenial to their own.

In the present circumstances of the world, who does not see that this copious, this inexhaustible source of trading, enterprize, and profit, must, unless you prohibit it, be available principally to your own people? British legislation can alone refuse this great advantage to British commerce. To your merchants it would be invaluable. And if in the consumption of South America the industry of the British manufacturer should establish, as we may justly hope, no unsuccessful competition even with that of his fellow subjects in Bengal, how much would the direct intercourse of that continent with India facilitate to him also the returns of such a trade.

Those who understand, as your lordships do, the real nature of commerce, and the true principles of its wise administration, well know that all its interests are interwoven, all its branches inseparably connected. It is the union, not of commerce with government, but of commerce with commerce, that a provident legislature will respect. Numerous are the commercial enterprizes which would be of small benefit if limited to the direct intercourse of one country with another, but which by intermediate or subsequent transactions in other markets, and in distant regions, become highly advantageous both to private and to national interests. It is in this view that I feel an undescribable anxiety to secure to our merchants their full participation, not of parts and portions only, but of the whole of the commerce of the East. I wish to grant and guarantee to them not that alone, of which, with my limited views and imperfect knowledge, I can already discern, and define the immediate, and infallible benefit, but that also which shall be the ulterior and unforeseen effect, the natural though unpremeditated conquest of their own skill and enterprize following up their advantages with ardour, and deriving from every successful operation both the spirit and the means of new exertion.

For the encouragement of such hopes no moment was ever yet more favourable. The barrier of prejudice is shaken; the spirit of monopoly is rapidly giving way to juster principles of commercial legislation: and the change of public opinion in this country is seconded by the great revolutions of the world. Why should we then delay to grant to the British merchant all for which he now contends; all that the exclusive charter of the East India Company has hitherto closed against him; all and more than all that these resolutions propose to open to the people of this empire? A free trade with India, a free trade with China; with the eastern islands, the latest acquisition of British valour; and through them with the rich kingdoms of South America; a country hitherto indeed barred against us as much by the monopolies of its parent government as by our own, but now at last by the course of events no longer within the controul of man, opened, in every case I trust infallibly opened, to the commerce of the world.

What a scene does this present to our imagination! We are told that when the Spanish discoverers first overcame, with labour and peril almost unspeakable, the mighty range of mountains which divides the Western from the Atlantic shores of South America, they stood fixed in silent admiration, gazing on the vast expanse of

the Southern Ocean, which lay stretched before them in boundless prospect. They adored, even those hardened and sanguinary adventurers adored, the gracious providence of heaven, which, after the lapse of so many centuries, had opened to mankind so wonderful a field of untried and unimagined enterprize. They anticipated in prophetic enthusiasm the glory of their native country, the future extent of its sovereignty and power, and the noble prize presented to its ambition. But theirs was the glory of conquest, the ambiotin of war, the prize of unjust dominion. As vast as theirs, but infinitely more honourable, far higher both in purpose and in recompense, are the hopes with which the same prospect now elevates our hearts. Over countries yet unknown to science, and in tracts which British navigation has scarcely yet explored, we hope to carry the tranquil arts, the social enjoyments, the friendly and benevolent intercourse of commerce. By the link of mutual interest, by the bond of reciprocal good will, we hope to connect together the remotest regions of the earth; humble, and weak, but not rejected instruments of that great purpose of our Creator, by which he has laid, in the reciprocal necessities both of individuals and of nations, the firmest groundwork of all human society. Let this be our glory, and what conqueror will not have reason to envy it?

And here, my lords, I might properly close this statement, already extended far beyond my wish. But I would not wholly pass over one or two other points which I think of great importance, though they do not, perhaps, relate so much to the general questions which we have this night discussed, as to separate arrangements which might be adopted under any form of Indian government. I shall speak of them very briefly. Some of them must probably, in the progress of this business, be again brought under our view.

The most considerable among the benefits which my noble friend enumerated as having been conferred by the British government on the natives of India, was that arrangement which is technically called the permanent settlement. Your lordships are well aware that this consisted in fixing the amount of territorial revenue, to be annually collected from the landholders of our provinces, instead of leaving it to be varied from year to year at the discretion of government, on the reports of its officers, and according to the supposed ability of the person assessed. This certainty of taxation, which would be so important in every country, was of the utmost possible value in provinces where so much the largest part of the public revenue is raised from the proprietors of the soil: bearing a proportion to its produce, which has been differently estimated by persons the best informed, but which even by the lowest calculation is of frightful amount. The measure was first adopted in the Bengal provinces, and it has since been extended to some other parts of our possessions in India. To enlarge upon its advantages before a British audience, would seem superfluous. Until very lately I thought they had been generally admitted; but the late report of a committee of the House of Commons has filled me with anxiety on this subject. That report treats of the question of applying the same beneficial principle to the more recent acquisitions by which our territory in India has been so largely extended; and no man, I fear, can read what is there said without perceiving its tendency, if not to discredit the original measure, at least to discountenance its proposed extension. My noble friend who opened this discussion, agreeing with me in principle, but not fully partaking of my alarm, has nevertheless himself described the expressions of this paper as ambiguous. Be it so. I will only then remark, that in former times, the reports of parliament were not expressed with ambiguity when they enforced the duties of protection and justice towards our native subjects. I would, if it were possible, most willingly persuade myself, that not the language of this report alone, but also the language of the public dispatches which it quotes, is really ambiguous. To my understanding they too plainly speak their purpose. But most sincerely shall I rejoice in the assurance that my apprehensions are ill founded. If they are so, it is of easy proof. No one can then object to the proposal which I shall hereafter submit to your lordships; a proposal to obtain from parliament, in the law which we are now to pass, the same interposition, couched in the same terms, and directed to the same object, which in the act of 1784 has proved so eminently beneficial. To remind us that so important a measure as this cannot be duly executed but after some previous deliberation and enquiry, and on such information as is really necessary to enable our Indian government

fiable to form for that purpose a separate establishment in England. It may be doubted at what age these youths may most advantageously be sent to India. But up to the latest moment of their continuance in this country, be that period what it may, I see the strongest possible reasons against their being separated in education from the young men of their own age and station in life. Instead of forming them beforehand into an exclusive class, into something resembling a distinct cast of men, destined to administer government in remote provinces, they ought above all other public servants to receive, so long as they continue in England, an education purely English. Instead of rejecting, we should, I think, have embraced with eagerness the advantage which our great schools and universities would have afforded to them for this purpose: that they might learn there, I trust with not less facility than elsewhere, the elements of whatever sciences you could wish them to possess: that in addition to these they might find there, and there only could they find, that best of all education to a public man which forms the mind to manly exertion and honourable feeling, the education which young men receive from each other in the numerous and mixed society of their equals, collected from various classes of our community, and destined to various ways of life: that they might there be imbued with the deepest tincture of English manners, and English attachments, of English principles, and I am not afraid in this case to say also English prejudices: and that they might carry out with them from thence to India remembrances and affections, not local only but personal; recollections not merely of the scenes but of the individuals endeared to them by early habit; mixed with the indelible impression of those high sentiments and virtuous principles which, I am happy to think it, float in the very atmosphere of our public places of education, and contribute much more, I think, than is commonly supposed, to all on which we most value ourselves in our national character.

I have now finished what I had to submit to your lordships in this discussion. I am well aware how much remains behind: how many are the topics, how large and interesting the questions which I have left wholly untouched. Vain indeed would have been the endeavour in the compass of a single speech, on an incidental motion, to place under your view even in the faintest sketch, all the objects that must engage your attention in the course of this vast enquiry. Other questions more deeply interesting to our own domestic concerns, affecting more nearly the prosperity or the safety of these islands, may have occupied the deliberations of parliament: one of such large and almost boundless extent has certainly never yet been brought before us. For my share in the discharge of this awful duty I have endeavoured to qualify myself by study and reflection: imperfect as my notions certainly are, erroneous as they may too probably be, they are at least not brought before your lordships without long, diligent, and repeated consideration. That there are many to whom my opinions will not be acceptable I well know. But even they I think must be convinced that one only motive can by possibility exist for the part which I have taken on this most important question; a strong and irresistible impulse of public duty. To shock the prejudices, to oppose, as it will be thought, the interests, of many individuals whom I personally respect, and of public bodies of the greatest weight, authority, and influence in the community to which I belong, cannot be a pleasing task. But these, and every other consideration, must at once give way, when the question on which I was called upon to speak, and on which I have now ventured to submit to you my present thoughts, was nothing less than this, By what political, by what commercial institutions can the British parliament best provide for the happiness of the people of India?

The Earl of *Liverpool* bore testimony to the candid manner in which the noble baron had treated the subject, his object obviously being to bring the question fairly and dispassionately under the consideration of the House, without any partiality or party feeling. For himself and his colleagues, the noble earl declared their readiness to attend to any suggestions thrown out by the noble baron or by others, which might be calculated either to farther their own plan, or to shew its deficiency. The first object for their consideration was not the advantages which England might derive from India, not whether trade could be carried on more beneficially for this country under one system or another, but circumstanced as we were with respect to fifty millions of

our fellow-creatures, what system of government would most contribute to their happiness and prosperity. He agreed that taking the patronage of India out of the hands of the East India Company, would not necessarily place it at the disposal of the crown. The government of India, from the year 1784 up to the present time, had been most advantageously carried on by the Company. He knew of no colony in ancient or modern history, which had to boast of such a government. The present system, with respect to the trade to India, he contended it was impracticable to maintain, under existing circumstances. A new era had arisen in the world, which made it impossible. A great change had taken place from the train of events, and they must shape their course accordingly. The question, as had been said by his noble friend, was not whether they should exclude all adventurers from participation in the trade to the East Indies, but whether they should exclude British merchants from that trade, which they could not keep from foreigners. It was said, that much mischief would result from the unrestricted admission of Europeans into India. The petitioners for the opening of the trade did not ask to be admitted without restrictions: all they claimed was to be put on a footing with the Americans. The opening of the trade to India promised to be beneficial to those who might engage in it, as it had been seen that an advantageous trade to India had been carried on by the Americans, and by private English merchants. The benefit of the trade to India formed, however, but a small portion of the advantages he anticipated from the measure in contemplation. The new sources of trade to other parts, which it would be likely to open to us, if the golden opportunity were not neglected, he thought of much greater importance, and which, if we were bound by narrow prejudices, would, in all probability, fall into other hands. With respect to the China trade, he was prepared to maintain the expediency of excepting it from the proposed arrangement; it was now carried on advantageously by the East India Company, and a revenue was securely derived from it. There were, besides, many circumstances to render it inexpedient to open the trade to China. It was better to retain a certain advantageous trade, and a certain revenue, than to exchange it for an uncertainty. As to the objection that smuggling of tea would take place to a great amount, if the India trade were thrown open to the out-ports, and the reference that had been made to the years 1784 and 1785, the fact was, that at that period, when the monopoly was strictly maintained, the smuggling was carried on in the river Thames; and it would be there, from the great facilities afforded, that the smuggling would be carried on, and not at the out-ports. Besides, the East India Company had agreed to an open export from the out-ports, and an open import to the port of London; and he defied any man to point out any inconvenience that could arise from opening the imports to the out-ports that would not also arise from opening the exports to them, and the imports to the port of London. The fact was, that the high duty upon tea afforded a great temptation to smuggling, and at a peace it would become inexpedient for that reason to keep up that high duty. The noble earl concluded by expressing generally his firm and decided conviction of the advantages which would result from opening the India trade to the out-ports.

The motions were then put and carried.

HOUSE OF COMMONS.

Friday, April 9.

Minutes of Evidence taken before the Committee of the whole House of Commons on the East India Company's Affairs (*Continued.*)] The House having again resolved itself into a Committee of the whole House to consider further of the Affairs of the East India Company, Mr. Lushington in the Chair,

William Bruce Smith, esq. was called in. The following is the substance of his evidence:

Mr. *Adam.*] How long have you resided in India?—Above 40 years, in the northern boundaries of Bengal: as a merchant, and in reclaiming waste lands. I dealt principally in timber and indigo.—I had constant opportunities of becoming acquainted with the character of the native Indians.

Have you had an opportunity of endeavouring to promote the sale of British manufactures, or of European goods, in that country?—I had no opportunities; they were in no request. I have made endeavours but without success.—An investment of glass and Wedgwood's ware was sent to me by a gentleman in Cal-

cutta, to endeavour to sell for him, which I could not accomplish, and was obliged to return. There was no demand for them, the natives did not require them.

Had you, during your 40 years residence in India, any opportunity of seeing whether the natives made any progress towards an alteration of manners or customs?—I have seen no alteration during the time I have been in that country, or very little.

Can you state the ordinary amount of a labourer's wages per day or per week?—One anna a day was the usual wages, the sixteenth part of half a crown.

Do those wages afford the means of purchasing any thing beyond their daily food and their necessary raiment?—I believe not, nothing more than that.

In what manner do the ordinary agriculturalists in India clothe themselves and their families?—A piece of linen cloth is generally the most of their apparel, one piece for their head and one piece for their body. I never saw the smallest alteration.

Is there any disposition on the part of the labouring manufacturer to become the purchaser of European commodities or of British goods?—I think not, they could be of no use to him.

Have you reason to believe that an unrestrained influx of British or European subjects would be likely to disturb the harmony of the natives, and the government in India?—I think it might: from their being unrestrained in their proceedings.

Do you consider that the present mode of supplying the Indian market with British or European commodities, is adequate to the demand?—Fully adequate, I think.

Do the wealthy Indians apply any part of their superfluous wealth in the purchase of European or British commodities?—With very few exceptions, I believe they purchase none at all. They apply their superfluous wealth in their own mode of state; a great number of servants, entertainments, marriages and deaths, those are the principal.

(*Examined by the Committee.*)

What do you imagine will practically be the consequence of the agents of the British merchants going into the interior of India, under a legislative enactment, to push the enterprize and capital of the British merchants as far as he may conceive it may be pushed, in regard to the natives?—I think it might be attended with very serious consequences.

What proportion of the population do you imagine would be able, if willing, to purchase articles of British produce or manufacture, supposing those articles to find their way to India at the least possible expence?—They must alter very much in their modes of life, to use the articles of European manufacture at all; I have seen no alteration, in the long time I have been among them.

In the cold weather, do you not think that the cheaper British woollen manufactures, and some other articles, might find a vent there?—They might find a vent, if at a very reduced price; if they were very coarse and very cheap. The natives quilt cotton stuff to keep them warm in the winter, and use blankets of their own manufacture.

Could the lowest and the cheapest kind of the British woollens be sold as cheap as their quilted cottons and their own manufactures?—I have never seen any that were so cheap as their own clothing.

Does it come within your knowledge, whether there are, or are not, British artisans and manufacturers settled at the presidencies, who work and produce many of those articles that used formerly only to be brought from Britain?—A great many in Calcutta, and at other stations in the country.—In some instances those articles are better adapted for the climate, but in general inferior.—Always cheaper than the European articles,—but the articles from Great Britain have always the preference.—At the presidencies of Calcutta and Madras I observed the shops full of European articles, completely full.—There are daily auctions, but generally of articles that are damaged, or sold as the property of bankrupts.

The Hon. Hugh Lindsay was called in, and examined to the following purport;

Mr. *Adam.*]—Are you not a captain or commander of a ship in the Company's service?—I am. I have been seven voyages as a commander in the Company's service, six to India and one to China.

State what market you have found in India for your articles?—On two different voyages I had tolerably good markets, the others very indifferent indeed.

To what port or presidency did you sail with those articles in which the mar-

kets were indifferent?—To Madras and Bengal.

Can you state whether the want of a market, or the defect of market, was owing to the defect of purchasers, or to the market being overstocked; or to both?—I think from the market being overstocked.—I have frequently requested the native merchants to consider whether there might not be some new article that I might bring from Europe for them; their reply was, that there was nothing they could think of as a new article that they could desire me to bring, and that their retail was almost entirely for Europeans.

Do you consider that the present mode of supplying European and British articles to the settlements in India is sufficient to answer the demand?—I consider it more than sufficient, to afford a profit to the people who carry the investments to India.

Have you had occasion to consider whether the effect of opening the trade and exportation to India would be such as to tend to the improvement of the market for British and European goods in that country?—I should consider it would tend to a great loss in the markets in India, and that no persons would benefit by it but the auctioneers.

What are the articles of importation from the presidencies of Madras and Bengal, in which you have particularly dealt?—Piece-goods, raw-silk, silk piece-goods, indigo, and a few drugs.—I do not consider that the habits of the natives are likely to create any consumption of European articles beyond what they have been in the habit of using for the time past.—In 1801 I was senior captain of a fleet of eight sail of ships, and in our voyage to Bengal I went in with the fleet to Acheen Head, in the island of Sumatra, for refreshments; and although we had, I believe, on board that fleet, every article that is exported from this country to the East, yet we could not find among the whole ships any article in which we could pay for the cattle we received from the Acheenese by the way of barter, and we were obliged to open our stock dollars to pay for the refreshments we obtained there.

(Examined by the Committee.)

Does it come within your knowledge, whether there are, or not, British artisans and manufacturers now settled at the presidencies, who work and produce many of those articles that were formerly brought from Great Britain?—There are, particularly coach-makers, carriage-builders; in Calcutta they build carriages as well as they do in London, I think, nearly.—They make exceedingly good boots and shoes, and a variety of articles, and there are a great many other artisans, who work exceedingly well, in Calcutta.—They are not quite so good as the same articles brought from Great Britain, but they are very much cheaper, except in the glut of a market, when European goods are sold at 50 per cent. less than they cost in London.

Is it not then probable, that in the course of no very long time the increase of those artisans and manufacturers may prevent the importation altogether of British articles, except some very choice ones, that may be made use of by those Europeans who can afford them?—I think it very probable indeed.

Were the cargoes always sold?—Yes; sometimes at a very considerable loss; and I have no hesitation in saying, that if I had never traded in articles for export from this country, I should have been richer than I am at this moment; upon the whole, I think I have lost by my outward-bound investment.

Lestock Wilson, esq. was called in, and examined as follows:

Mr. *Adam.*]—Were you in the Company's shipping service?—I was, 34 years, and made eleven or twelve voyages; five as a commander.—I retired from that service in 1799, and have since been engaged in a house of trade to the East Indies.—I never was at Bengal but once in my life, in 1767; I have been twice at Madras, and three times at Bombay, and the rest at China.

Could you judge whether the market was overstocked with British and European commodities at those presidencies?—I certainly have seen it overstocked, when the goods would not fetch prime cost and I have seen it otherwise.

Do you consider that up to this time, and during all the time you have been employed as an agent for Indian importation and exportation, the means afforded by the Company for exportation of articles to India were sufficient?—I should think they were.

Can you state any particular instances in which you have found it difficult to obtain the means of completing a shipment

of goods to India?—I am under the greatest difficulty at this moment, having a ship which is to return to India, and finding it extremely difficult indeed to find commodities to put into her that are likely to produce their prime cost; and if the Company had not relaxed a little, and given us leave to carry out goods, which it was in their option to do or not, we could not have sent back the ship at all, except in ballast: the fact is, that there are but four articles in her cargo within my recollection, which are the produce of this country or its dependencies, namely, empty glass bottles, and I believe there may be 20 or 30 tons of English iron, there may be as much Swedish, there are about 20 or 30 casks of porter or ale, not chusing to risk more, and some chalk; those are the only articles of the produce of this country that we chose to risk our money in. I consider those the only articles that are likely to bring a profit in an Indian market, at present.

(Examined by the Committee)

What sum would you wish to invest in goods by the ship you allude to as about to sail for India?—Not more than twelve or fifteen thousand pounds.

Do you intend this as a remittance to India, or as a speculation from which you look to a profit in the first instance?—It is a speculation to India certainly, to be returned in some way or other; perhaps it may be drawn for, perhaps it may be sent back in a commodity, perhaps it may be lent to other people; there are various ways, and the consignments may come to our own house.

You are no doubt aware that the staple articles of iron, steel, copper, and lead would generally, if not always, yield a saving remittance to a very great extent?—I certainly am aware of the contrary from experience, having sent copper, and lost considerably by it.

Have you experienced the same loss upon iron, and steel, and lead, as upon copper?—No, I do not know that I have; I have lost as a commander, upon the aggregate, by the outward-bound investment; some of those things I may have gained by, and some I may have lost by.

Have you observed a greater glut of European articles in India, than there generally is of most articles of trade in this country?—If I am to look to the late disastrous times, with the continent closed up, and the vast influx of Indian articles here unsaleable, certainly not; but still there have been times when there has been a very great glut of European articles in India.

You have mentioned, that in making up a cargo you were going to send out now to India, you would have been under great difficulties, but for permission of the Company; what are the articles which the Company prevent from being exported by the private traders?—Strictly speaking, we have a right to export nothing but what is the growth or manufacture of this country or Ireland; no foreign commodities: they have allowed us to carry out brandy, which we could not do as a matter of right; logs of mahogany which are to be manufactured by cabinet-makers, and a few articles besides.

They have not mahogany or those kinds of wood in India?—I do not know that they have; I understand it is a good commodity to send to Bengal for the purpose of being manufactured there, and therefore we are sending it; whether it will prove so we shall see in the result.

William Fairlie, esq. was called in, and examined as follows:

Mr. *Adam.*]—Did you not reside for many years, and how many, at Bengal as a merchant?—I resided thirty years at Bengal, as a merchant and agent. Entirely in Calcutta.

Do you think the consumption of European commodities in India rests with the English who are settled there in the service of the Company and otherwise, or whether the native Indians are customers to any extent for those commodities?—There is a very small consumption for the natives, they are chiefly for the Europeans in the Company's service, in the army and civil service, and others that are settled in the country out of the Company's service. I have endeavoured to import some articles, cloths, and some few other articles for them, but to a small extent.—The wants of the natives being so few for European articles is the chief reason, and the greater part of the lower orders are unable to purchase them. There is not any general tendency among the higher orders to purchase them; some of the richer natives in Calcutta have expended money in that way upon their houses, and some articles of European manufacture, glass-ware, and some few showy articles of that kind, otherwise there is very little required by them.

Have you found that the supply of British and European articles, as it is now afforded to Calcutta, has been perfectly sufficient for the demand?—Fully equal, and indeed I should think greatly exceeded it, from the loss I have known almost invariably to be sustained by the importation of articles from Europe; and for these 4 or 5 years past, particularly, there has been a loss upon almost every one of the cargoes that were imported.

Have you any experience in the use that the native Indians make of English broad cloths or long ells?—There is a pretty large consumption of the coarser kinds of broad cloth, in the upper part of the country, where the climate is colder, and a small quantity used in Calcutta, by those who can afford to purchase it.

Do you think that there is any likelihood of any particular articles of commerce being forced more into the market by opening a free trade?—I do not think that any large importation could be disposed of, but to a loss; but certainly in the consumption of some articles there might be in time a gradual increase.

Have you had occasion to observe whether the natives, who have been taught to manufacture and fabricate those articles manufactured at Calcutta, have been adroit and expert in the performance of them?—They are almost wholly manufactured by the natives; one European carpenter may perhaps employ 50 or 100 natives, with not an European among them; the same with the shoemakers, and also with plate; in fact there are not many European tradesmen who work themselves; tailors there are a few, but in comparison not one in fifty, the persons that are employed are natives. The artisans receive, according to their abilities, from perhaps 7*s.* 6*d.* to 20*s.* or 25*s.* according to their expertness, a month.

Have you had any opportunity of observing whether the native Indians have come into the habit of using such articles as have been lately specified?—I know of few or none; the richer part of them, some few of them have carriages for show, to please the Europeans chiefly, I believe; and they have for their houses, some of their principal halls, some glass ware, and chairs and tables. [Withdrew.

The Chairman reported progress and asked leave to sit again.

Ecclesiastical Courts' Bill.] Sir *W. Scott* rose to move for leave to bring in a Bill, for the better regulation of the Ecclesiastical Courts in England. The right hon. and learned gentleman said, that he proposed to revive a Bill which he had brought into parliament last session, in consequence of a motion made by a noble lord (Folkestone) whose absence, and still more the cause of that absence, he most sincerely regretted. That Bill was lost by the dissolution which followed the session, and it was his intention to renew it at present, with the leave of the House. The right hon. and learned gentleman then entered into a description of those courts with which he intended to interfere, and concluded by moving, "That leave be given to bring in a Bill for the better regulation of Ecclesiastical Courts in England, and for the more easy recovery of church rates and tithes."

Mr. *Davies Giddy* highly applauded the part of the intended Bill which provided for the more easy recovery of church rates and tithes, and said, he did not doubt that the other part, with which he was not so well acquainted, was equally good.—Leave was given to bring in the Bill.

Edinburgh Booksellers' Petition respecting Copy-Right.] A Petition of several booksellers of the city of Edinburgh, was presented and read; taking notice of the petition of the booksellers and publishers of London and Westminster, stating the expence and grievance which will be sustained by the publishers of books, if, in consequence of a recent determination in a court of law, they should be compelled to deliver eleven copies of all works printed and published; and setting forth,

"That the petitioners, the booksellers of Edinburgh, humbly submit that the compulsatory delivery of eleven copies of all books that shall be printed and published will, in many cases, be a heavy burthen on authors and proprietors of books, that it will operate generally to the discouragement of literature, and will particularly tend to diminish the publication of large and valuable works, and that the petitioners will be greatly aggrieved thereby; and that these works are frequently of great importance to science and learning, and it is usual to print no more than in all probability will be sold, and therefore the delivery of so many copies will be a serious diminution of that fair remuneration which authors and proprietors hope to receive as an indemnity for their labour and risk

in composing and publishing the same; a great many works are published by authors themselves at a considerable expence, and with only the prospect of a slow and uncertain sale, but such expence will be considerably enhanced, and their remuneration diminished, by the delivery of eleven copies gratuitously, and therefore this burthen will in all probability operate to prevent many useful works from being undertaken; and that, in evidence of the very grievous injury which the petitioners would sustain from the compulsatory delivery of eleven copies of all the new works published by them, the petitioners are prepared to establish that upon six books recently published, or now in the course of publication, in Edinburgh, the expence would amount to no less than 1,426*l.* 8*s.* 6*d.* sterling; and that the petitioners also humbly submit that the delivery of five copies to Scottish libraries is too large a proportion, and that the delivery of copies to one or two libraries in Scotland will be sufficient for the encouragement of its literature and science; and also that the termination of copy-right at the end of 14 years, in case the author should not then be alive, is too short a period of copy-right for the present state of literature; and that the civilized nations of Europe are now striving to excel each other in important and costly publications, and the great expences which are now risked in most publications, and the labour and talents which they require, cannot be adequately repaid or remunerated in so short a period as fourteen years; and praying, that the House would be pleased to take these matters into consideration, doing in the same as they may see right."

Ordered to lie upon the table.

Bill to alter the Punishment of High Treason.] On the motion of sir Samuel Romilly, the House resolved into a Committee on the Bill for altering the punishment in cases of conviction for high treason; and, after some conversation, in which sir S. Romilly, sir W. Garrow, sir Thos. Plomer, sir Charles Mordaunt, Mr. Yorke, and sir J. Newport took part, the clauses of the Bill were agreed to, upon an understanding that the debate on the principle of the Bill should take place at a future period.

The House having resumed, and sir Samuel Romilly having moved that the Report should be received on Monday,

Mr. *Frankland* objected to the Bill generally, and moved, that the Report should be received this day six months.

Sir *John Newport* supported the Bill, and contended for the necessity of abolishing those barbarities which were sanctioned by the law of high treason as it now stood.

Mr. *W. Fitzgerald* objected to any change in the ancient code of the country, at a time when circumstances did not call for such an alteration.

Mr. *Courtney* was of opinion, that the sentence in cases of high treason ought to be altered, although he did not agree to those extended alterations which had been proposed by his hon. and learned friend (sir Samuel Romilly).

Sir *Wm. Garrow* opposed the Bill, upon the ground that, if it passed, it would tend to remove one of the safeguards of the constitution.

Mr. *Ponsonby* expressed his astonishment at the assertion which had been made by the hon. and learned gentleman (sir Wm. Garrow), that the present mode of execution for high treason was one of the safeguards of the constitution. He should have thought that the mere mention of the sentence of high treason, as it now stood, in that House, would at once elicit a universal wish for its abolition, as every one seemed to think that the punishment ought not to be inflicted.

Sir *W. Garrow* explained.

Sir *Samuel Romilly* replied, and expressed his determination, if the Bill was not passed in the present session, that he would again bring it forward at a future period.

The House then divided; the numbers were—In favour of the original motion, 60; Against it, 73; Majority, 13.

Protestant Dissenters' Petition for promulgating the Christian Religion in India.] Mr. *W. Smith* presented a Petition from the Protestant Dissenters of the three denominations residing in and near London and Westminster, setting forth,

"That the petitioners, firmly believing in the truth and divine authority of the Christian revelation, are also deeply impressed with a full conviction of its proportionate efficacy, to establish, on the most solid foundations, the fabric of social order, and all the highest and best interests of mankind; and they venture to suggest it, as their opinion, that, to represent a system of idolatry and superstition as equally tending to produce moral virtue

and human happiness, is no less contrary to the dictates of sound reason and philosophy than irreconcilable with the first principles on which our faith is built: and that, entertaining a directly opposite sentiment, the petitioners are anxiously desirous that the light and blessings of Christianity should be gradually diffused over the immense empire of Great Britain in the East, which, instead of being thereby endangered, would, as they believe, on the ground of fact and experience, derive additional strength and stability from the spread of the Christian religion; and that the petitioners are fully aware of the mass of ignorance and prejudice to be encountered, and that the progress of knowledge must be proportionably slow, but while the means of persuasion only are employed (and all others they utterly deprecate), they are at a loss to discover from whence any such apprehensions of danger can arise, as should induce any wise and good government to discountenance the attempt; and that they desire not to embarrass the civil authority by any request for assistance, but merely beg to express their prayer, that, in the arrangement for the new charter to be granted to the East India Company, the wisdom of parliament will be pleased to provide that such benevolent persons, of the various professions of Christians, as may be disposed to devote themselves to the promulgation of our holy religion in India, may, under certain regulations, be permitted to enter that country, and to remain there unmolested while they conduct themselves as orderly and peaceable subjects."

Ordered to lie upon the table.

HOUSE OF LORDS.

Monday, April 12.

National Debt Bill.] The Earl of *Liverpool*, on moving the second reading of the National Debt Bill, observed, that if it could be proved that this measure was a violation of the public faith to the public creditor, he would agree that such an objection ought to be fatal to its progress. He, however, was on the contrary satisfied that there was not the slightest ground for any objection of this nature. His lordship then took a brief historical review of the establishment and progress of the sinking fund, contending that both in the view of parliament and of the illustrious author of that measure, the late Mr. Pitt, and also in that of the stockholder and the public creditor, the principle alone was recognized that the debt should be repaid within 45 years, from the time of the sinking fund attaining to four millions, or from the time of the contraction of each debt, but that the mode of payment remained at the discretion of parliament according to circumstances. Had it been otherwise, the stock created in each year would have formed a separate fund, and bore a separate price. Undoubtedly, a contractor for a loan in any year might have made it a part of his bargain, that the sum advanced should be made a separate fund, but this had never been done, as the stock so created would have been less marketable than when united to the general stock; and the fact was, that the whole of the stock created in each year had formed one mass, so as to render it impracticable to distinguish that created in any given year. The stockholder had never looked to any other security for re-payment than the redemption of his stock within forty-five years without any reference to the precise mode in which that redemption should be effected. His lordship quoted and dwelt upon the provisions of the Acts of 1792 and 1802, for the purpose of enforcing this argument, and to prove that such had been constantly the view of the subject, and the opinion entertained by parliament, by Mr. Pitt, and by the stockholder, and, therefore, that the present Bill did not in the slightest degree violate the public faith, or in the least trench upon the security of the public creditor.—With respect to the objection, that the consequence of this measure would be an increasing debt, and a decreasing sinking fund, he observed, that under this measure the sinking fund would never be diminished below eleven millions, nor would at any time be much less than twelve, and that the proportion it would bear to the whole debt would be larger than, in any year, the sinking fund had borne to the debt. The sinking fund, under this measure, would amount to one sixty-first and a quarter of the whole debt, whilst in 1807 the sinking fund bore only the proportion to the debt of one-64½.—As to the objection on the ground of time, he maintained that it was universally admitted, that at some time or other the sinking fund must be subject to regulation. To allow it to reach that period, when it would become necessary to repeal 19 or 20 millions of taxes in one year, would give a ruinous shock to the commerce and industry of the country,

the consequences of which were dreadful to contemplate. The question, therefore, was whether this was not a proper time? and he was prepared to maintain, that at no time could circumstances render it more proper to resort to this measure than the present moment. What had we effected during the last ten years of war? we had raised 20 *millions* of taxes, by which we had prevented a debt of 200 millions from being thrown upon posterity. In no country, at any time, had such an effort been made. Now, therefore, was the period to interpose a cessation of taxation, to refrain from imposing new burdens upon the people, and to avail ourselves of the resources which were within our power. By the proposed plan the war might be carried on upon its present extensive and expensive scale for four years, without any additional taxes. In the course of that four years many events might happen—peace might take place, (but upon that he did not wish their lordships to calculate)—the war might be carried on upon a reduced scale of expence, in which latter case, under the proposed plan, it might be carried on for a still greater number of years without additional taxes. But at all events, upon the present scale of expence, the war might be carried on for four years without any additional taxes, and with the improvements in the revenue, which the interval would naturally suggest, the war might be carried on upon the present system for six years, without any additional taxes. Here, then, was a positive advantage, without in the least trenching upon the security of the public creditor. Most gratifying was it to reflect upon the present situation of the country. After ten years of a war unexampled in its circumstances, unexampled in the efforts we had made, we had 19 million of war taxes unmortgaged; and a sinking fund of 13 or 14 million. What must be the effect throughout Europe of this flourishing state of our finances, coupled with the ability to carry on the war, on its present scale of expence, for four years certainly, and probably for six years, without additional taxes? No period could be more favourable than the present moment to resort to this measure. What events might arise in Europe from the present situation of affairs, it was impossible for him to foretell; but from the magnanimous exertions and glorious successes of Russia this great result had arisen, namely, the destruction of what was called the Continental system. That system it was impossible for Buonaparté again to establish, Russia having at all events secured her own independence. Here, then, was a great opening for the commerce and industry of the country;" and to give them scope to expand, without the pressure of any additional burdens, was one great advantage of the present measure. The noble earl concluded by moving the second reading of the Bill.

The Marquis of *Lansdowne*, in addition to the reluctance he always felt to obtrude himself on their lordships, and that which arose from the sincere respect he felt for the noble lord and the right hon. gentleman who were the authors of this plan, felt also a reluctance in opposing, or at least in stating objections to a plan, the object of which was to prevent the necessity of imposing new burdens upon the people. Still, however, he felt it a duty he owed to the consideration of public faith, as pledged to the public creditor, to state the objections which he had to this measure, as arising out of that view of the subject. He was disposed to agree in every praise to the institution of the sinking fund, and to Mr. Pitt for the establishment of it; but the more he considered the manner in which the sinking fund had been pledged to the public creditor, the more he was impelled to object to this measure. It was not, he contended, by a literal construction of acts of parliament, that this Bill could be supported, but the great object was to take care that the security of the public creditor was substantially maintained. That security was twofold, the positive security for the re-payment, and the implied pledge that the commodity of the freeholder should be bought in the market regularly and progressively by the men sent into the market for that purpose by government. With respect to the amount of the sinking fund, as compared with that of the debt, the noble earl had said that it would be, after this measure, larger in proportion than it had been in any preceding year; but the noble earl had omitted to state, that during the four years the debt would be increasing at the rate of 28 million per annum, by which the proportion of the sinking fund to the debt argued upon by the noble earl would be completely destroyed. Thus, therefore, he contended, the security of the public creditor was materially affected by the present measure. Could it be considered as the same thing, or as

consistent with the implied security given to the public creditor, that his debt being to be redeemed within a given period, a lesser sum was to be applied to that redemption at one part of the period, and a larger sum at another? Was it not, on the contrary, the very spirit of that implied contract, that the sum to be applied to the redemption should be applied progressively, and in a certain fixed and regular proportion? In this view of the subject, his objection was, that this measure took away from that implied security of the public creditor, and by decreasing the regular progressive redemption of his debt, rendered his commodity of less value in the market.—The noble marquis then proceeded to the consideration of the plan proposed, referring to the statement of the right hon. the Chancellor of the Exchequer, which had been put into his and their lordships' hands. From that statement the argument divided itself into two parts. The first relating to the right which the public had of laying its hands on the sinking fund; and the second to the expediency of putting that right into execution. He then made a few observations on part of the statement alluded to, particularly that part, where it was said, that the debt created in 1786 was discharged by the sinking fund of 1792. The noble earl had adverted to the Act of 1792, and he must, for himself, say, that he was always ready to give to that Act his entire approbation. The noble earl had said, that no possessor of a loan ever considered the one per cent. as attached to that loan only in which he was concerned: they had been attached to the loans ever since the Act of 1792. The Act of 1802 did not disturb the expectations of the public creditor, but the present measure was likely to do so. It was not now right to transfer the one per cents. to the sinking fund of 1786; they ought to be left to accumulate, instead of being applied, as was now proposed. When considering the advantages alleged to be derived from the more equable distribution of the sinking fund, the noble marquis alluded to some observations, that had been made on certain remarks of his own, in another place, when stating his plan of finance. The part to which he particularly alluded, was that in which he offered some observations on the prospect of a too great accumulation of the sinking fund, and its probable consequences on the price of commodities, and on public credit. At that time his views were treated with little respect, by those who were not unwilling to adopt them at present; for the present administration had come round to that view of the subject, and had, indeed, been in too great a hurry to guard against that prospective inconvenience, which, when he alluded to it formerly, they could not then at all foresee. That great accumulation, to which he had pointed, as likely to occur, one time or other, they seemed now to foresee as probable within the short space of 20 years. In the statement it was said, that the sinking fund should not be allowed to accumulate too long, nor be too much diminished. But were the noble lords opposite now ready to say, and to maintain, that it had already accumulated too much? If not, the argument in the statement was worth little. The noble earl opposite had alluded to the great increase of resources for carrying on the war, with which this plan was said to be pregnant. The argument on this point went to say, the more we get into debt at present, the more we extend our loans, the better shall we be able hereafter to support our war expences, and to pay our taxes, and the more rich shall we grow. It was a most fallacious expectation to be held out for the delusion of the country. The third advantage which, it was contended would result from the adoption of this plan, was the relief which it was meant to afford from additional taxes. This, he suspected, was the only advantage which administration expected from this new plan of finance. Yet they confessed, even should it be adopted, that they must have 800,000*l.* additional taxes this year, and more new taxes after the expiration of three years. He thought they were proceeding in a wrong course. Did it not follow, from the principles of political economy, that the withdrawing from the market a portion of the sinking fund would tend to increase the value and the price of that part which remained? So that, when they went hereafter to purchase it at the market, it would be found dearer. Such a plan could not, therefore, be advisable. After stating the proportion between the sinking fund and the national debt, at present, and what it would be in a few years, both on the principles of the old and the new plan, he said, that we ought rather to bear our own burthens than transfer them on our posterity; and, that it was very unwise, under the prospect of accumulating debts and burthens,

to cut off the remedy for its diminution. It would, perhaps, be better to delay the execution of such a plan till a time of peace. The noble marquis concluded by expressing his reluctance at objecting to any thing that was at all calculated to give relief to the public, but we ought not to shift the burthen on posterity. He would not give the plan a pertinacious opposition, but rest satisfied with having done his duty in stating his opinion.

The Earl of *Lauderdale* said, that he could not agree, either with the noble lord opposite, or with his noble friend who had just sat down. He looked upon the sinking fund as an inefficient engine in time of peace, and as an unfortunate one in time of war. He then bestowed very high praise on a work by Dr. Hamilton, on subjects of finance, which would afford much new and important light to all those who wished to direct their attention to subjects of this nature. He not only differed from the noble lord opposite and his noble friend on the general principle, but also on the points discussed that night. From the details given by the noble earl, he did not think the measure in conformity with the principles of the Acts of 1786, 1792, or 1802. But he thought that the government, on account of the unprecedented demand of the times, were called upon now to make use of the sinking fund. Though in this respect he agreed with the noble earl, yet there were others in which he coincided with his noble friend who spoke last. There was a fallacy in saying that this plan was calculated to give relief to the public. The commissioners of the sinking fund, or indeed of any sinking fund, could never have a sixpence that was not taken out of the pockets of the people.—The noble earl, after stating some instances in which the principle insisted upon by the advocates for the sacredness of the sinking fund of 1792 had been departed from by Mr. Pitt and by others, proceeded to point out how much preferable to the proposition before the House, it would be to allow the commissioners for the redemption of the national debt, to sell out 28 millions of stock, and pay the produce to the minister, which would be a saving to the public of the *bonus* upon the loan. But although disapproving of the present plan, and conceiving it adverse to the principles of the existing laws upon the subject of the sinking fund, yet he would contend that it involved no breach of faith to the public creditor; the sinking fund being a regulation for the public good, without any reference to the interest of the public creditor. In fact, it appeared to be so regarded by the public creditor himself; for what consideration had any public creditor given or shewn for this fund since the year 1792? None whatever, and this proposition the noble lord illustrated by referring to the comparative interest upon the 3 per cents. in which loans were usually contracted, and the 5 per cents. in which navy bills were usually funded. From this difference he argued in support of his opinion, as to any claim of right to the sinking fund, on the part of the public creditor. No minister would, therefore, in his judgment, have done his duty who should have declined to render that fund subservient to the public service, and he could not help expressing his surprise at the grounds upon which a different course was recommended, particularly considering the quarter from which the recommendation proceeded. For he found in a publication from a member of the other House (Mr. Huskisson), who agreed with him on certain main principles, a suggestion rather to increase the war taxes than thus to touch the sinking fund. The noble earl said he could hardly read without astonishment, such a proposition from this author, who had for some time maintained that the source of permanent taxation was dried up; and how then, consistently could he urge an augmentation of the war taxes, for the source of both was pretty nearly the same? But still further, how could that hon. gentleman advise an increase of taxes, who, with him, asserted the depreciation of bank paper, which depreciation was chiefly attributable to the amount of our taxes? Had the proposition of the hon author proceeded from ministers, who held a different doctrine, it would not have in his mind excited so much astonishment. But did the hon. author consider, that since the year 1806, before any material depreciation of bank notes took place, 144 millions had been added to our public debt; that in 1806 the amount of the permanent taxes, deducting the charge of management, &c. was about 26 millions, while in the present year it reached 34 millions? So that taking into view the depreciation of paper by the comparative value of gold at these two periods, it would appear that about the same amount or value of standard gold, namely, about 25 millions, would

reach the public treasury within the present year, as had been received by it in 1806, or indeed rather less, although since 1806, 144 millions had been added to our public debt. To make up this extraordinary disproportion, the noble earl maintained, that looking to the depreciation of that paper which was now our circulating medium, it would be necessary to add no less than nine millions annually to the permanent taxes, and an equal sum also to the war taxes. Yet such were the circumstances under which an assertor of the depreciation of paper, pressed the propriety of an increase of taxes, rather than to touch the sinking fund: and in truth, having himself always endeavoured to adhere to consistency, he could not applaud such conduct in any man. The noble earl said he had never been in office, and could not tell the course of study generally pursued by persons in that situation; but really from the specimens he had seen, he could not forbear from advising official men, whatever they might speak, not to be very fond of publishing. In the publication already referred to, he met many passages to excite his astonishment, as he thought they must that of every reader not absolutely ignorant of the principles of political economy and the financial history of this country. For instance, the honourable author alleged, that there had never been any effectual sinking fund in this country until that created by Mr. Pitt. Now, according to his idea, and he apprehended the idea of most rational men, that system was most effectual which operated most to diminish our debt, at least in time of peace; and he stated the proportion in which our public debt was reduced during the several periods of peace which followed the treaties of Ryswick, Utrecht, Aix la Chapelle, Paris, and Versailles, to shew the efficacy of former systems, which efficacy would enable men to judge of the hon. author's accuracy. But again, the hon. author ventured upon another allegation, which was still more surprising—namely, that from the peace of Utrecht to the commencement of the American war, the total reduction of our public debt did not exceed eight millions; whereas it could be shewn, upon the best information and most authentic documents, that that reduction amounted to 23 millions. The noble earl, after declaring that he was one of those who held all plans of finance very cheap, the only plan truly and permanently effectual in his judgment being a plan of general unqualified public economy, proceeded to animadvert upon the conduct of ministers as to their mode of introducing this measure. They ought, in his opinion, to have done that which he believed Mr. Pitt would have done, namely, to have brought before parliament a full and complete discussion of the financial state of the country, before they submitted an arrangement of such importance. The noble earl concluded with remarking upon some clauses in the Bill, which he said he should take another opportunity of more fully noticing.

Viscount *Sidmouth* deprecated the doctrine of the noble earl who spoke last, that the public creditor had no lien upon the funds, from which the noble viscount maintained there was a solemn contract binding the public to pay that creditor within 45 years from the period at which he had advanced his money for the public use. The contrary, indeed, of what the noble earl asserted was implied in the several engagements entered into with public creditors, in the several statutes applicable to the subject; and such had been the uniform understanding of all public men with whom he had ever communicated upon the matter, and particularly of all those whom he had known to have any share in his Majesty's councils.—The noble viscount then went into an explanation of the Act of 1802, the effect of which was calculated to accelerate the redemption of the debt existing previous to 1786. He afterwards stated the reasons which had induced him, in 1802, to make the alterations with respect to the sinking fund, which then took place. The sum of 56 millions was charged on the income tax by the Acts of 1798, 1799, and 1800. If the war had continued for 45 years, there would have been no responsible fund for the liquidation of that debt. He next proceeded to defend the proposed measure. He asked their lordships, whether it would not be more just to the national creditor to take the measure now, than after difficulties should occur? Without underrating the resources of the country, he would put it to them if the difference in the amount of taxes to be imposed between the proposed plan, and the existing system, was not a most important consideration with regard to the best interests of the country? The fortitude and patience of the country would be put to the severest trial, if the existing system should

be longer continued. He had yet seen no other plan by which we might be enabled to carry on our present exertions, the necessity of which all were agreed on.

The Bill was then read a second time. —Adjourned.

HOUSE OF COMMONS.

Monday, April 12.

MINUTES OF EVIDENCE TAKEN BEFORE THE COMMITTEE OF THE WHOLE HOUSE OF COMMONS ON THE EAST INDIA COMPANY'S AFFAIRS *(Continued.)*] The House went again into a Committee of the whole House on the Affairs of the East India Company, Mr. Lushington in the chair.

Colonel THOMAS MUNRO was called in. The substance of his Examination is as follows:

Mr. *Impey*]—Are you now in the military service of the East India Company? —I am;— At Madras,—and have been above 32 years.—I have resided in different parts of the peninsula, on the coast of Coromandel and Malabar, and in Mysore in the interior.—I was employed by the government of Madras in settling the districts ceded by the Nizam to the Company.—I had full opportunity of understanding both the character and habits of the natives.—There were no Europeans in that part of the country, except such as belonged to the Company's or King's civil or military service, and a few suttlers belonging to the army.

Are you not of opinion, that the Hindoo nation are much attached to their own modes of living and thinking?—They are. —I do not think that they are positively unchangeable, but they are as unchangeable as any thing can possibly be.—When I went into the ceded districts, they were in a state of complete anarchy.—I resided there 7 years;— during which time they were reduced into very good order.—I think it is necessary to use great caution in the selection of persons to manage, not only those districts but all districts, under the Company's government.—For districts newly reclaimed, greater caution certainly is necessary.—I think the consequence of permitting English traders of all descriptions, to range and to reside in those districts would be very dangerous to the peace of the country.—Persons newly arrived from Europe would produce greater mischief in the country than those who had been some time there, and had become acquainted with the habits of the natives; this is so much the case, that it is always usual when European troops, newly arrived from Europe, are sent up the country, to send a detachment of native troops along with them, to prevent their getting into disputes with the inhabitants; those disputes happen, not only with newly arrived European troops and the natives, but among all newly arrived Europeans, whether King's or Company's officers, or civil servants; a single ensign, newly arrived from Europe, going up the country to join his regiment, produces more alarm than would be occasioned by a whole regiment of veterans.—If newly arrived Europeans were permitted to enter the interior of the country, they would be likely to commit acts of violence against the religious and civil prejudices of the natives; often from ignorance, and sometimes from a contempt of such prejudices.—I think such conduct on the part of the newly arrived Europeans might occasion disturbances that would eventually be dangerous to the government of the country; but although they might at the time occasion some partial riots, I have no idea that they would occasion insurrection; they would produce that sort of discontent which might remain at rest till an enemy entered the country, when the minds of the inhabitants by such conduct would be prepared to favour the view of any invader.—Such conduct of the newly arrived Europeans would certainly have the effect of lessening the high character which Europeans now have in India.—I think the high respect entertained for the English character in India, the principal pillar of our government there; that when the respect for the European character is gone, our government cannot exist.— In case of oppression of the natives by Europeans at so great a distance as those ceded districts, I think that very few of them ever would obtain redress, because not one in twenty would ever take the trouble of going so far, or could bear the expence. In the event of a free trade, I do not think that there would be any considerable increase of the demand for European commodities among the natives of India; I do not think that this want of demand depends exactly upon the high price. The high price in India ought to have the same effect as it has in Europe; it does not in Europe prevent the general consumption of Indian commodities, it only makes people take less of them, but every person, I

believe, purchases in some degree according to his circumstances; this is not the case in India, there are very few people there that purchase any European commodities; it does not depend upon a man's wealth or poverty, the wealthy man purchases no more than his poor neighbour; there is no gradation in the consumption of European commodities, depending upon the wealth of the individuals; at our principal settlements, where we have been longest established, the natives have adopted none of our habits, and scarcely use any of our commodities; the very domestics of Europeans use none of them; there are a few natives at Madras and some other places, who sometimes purchase European commodities, and fit up apartments in an European style, to receive their guests, but it is done merely, I believe, in compliment to their European friends, and what is purchased in this way by the father, is very often thrown away by the son; the consumption does not extend, but seems to remain stationary: I think there are other causes of a more permanent nature than the high price, which preclude the extension of the consumption of European articles in India; among those causes I reckon the influence of the climate, the religious and civil habits of the natives, and more than any thing else I am afraid, the excellence of their own manufactures. In this country, people who know little of India, will naturally suppose, that as the furniture of the house and the table require so much expence, a great demand will likewise be made among the natives of India for the same purposes; but a Hindoo has no table, he eats alone upon the bare ground; the whole of what may be called his table service, consists of a brass basin and an earthen plate; his house has no furniture; it is generally a low building, quadrangular, rather a shed than a house, open to the centre, with mud walls and mud floor, which is generally kept bare, and sprinkled every day with water, for coolness; his whole furniture usually consists of a mat or a small carpet, to rest upon. If he had furniture, he has no place to keep it in, it would be necessary to build a house to hold his furniture. He likes this kind of house, he finds it accommodated to the climate, it is dark and cool, and he prefers it to our large buildings: again, the food of the Indian is simple, and is entirely found in his own country; his clothing is all the manufacture of his own country we cannot supply him, because while he can get it not only better but cheaper at home, it is impossible that we can enter into competition in the market.

Have you means of stating with accuracy the price of labour in the ceded districts of which you were superintendent?—I had the means, but I can only now speak from memory; during my residence there, a great number of statistical tables were drawn up by many of the most intelligent natives, containing the price of labour and subsistence; but those tables not having brought with me to Europe, I can only recollect the general result; I think that the average price of labour, in agriculture, is about 5s. a month; 5s. I think is a high average; some of the calculations made it as low as 4s. none above 6s.

Is the price of labour you have stated, more than adequate to the subsistence of the labourers, and of their families?—Not more than adequate to the subsistence of a labourer and his family: tables were also drawn up at the same time, giving a general average of the annual price of the subsistence of every class of individuals for a whole year; I can only remember now the three principal branches; in the first class, containing about one fourth of the population of a country containing 2 millions of inhabitants, they made the average per head 40s.: the second class was 27s.; this second class contained about half the population, or something about one million; a third class, containing the remainder of the population, the poorest class of people, was 18s. per head: this comprehended the whole expenditure of each individual, for clothing, food, and every other article. I do not think from all I have been able to observe personally, or to learn from reading, that there is any probability of any essential change being produced in the state of society in Hindostan unless at a very distant period; the natives seem now, in their state of society, and in all their customs, to be in much the same state as they were when we first heard of them in history. I do not think that there is any great probability of extending the consumption of the woollen manufactures of England in India, because the natives have already coarse woollens of their own, which answer all the purposes for which they require them better than those of England do; there is hardly a native of India who has not already a large piece of woollen, as it comes

from the loom, which he uses something as a highlander does his plaid, he wraps it round him to defend him from the weather, and he sleeps upon it, and it is so much cheaper than any thing which can be made in this country, that until we can very greatly reduce the price of our woollen, we shall never be able to find a market in India for it; the thermometer in the greater part of India, in the interior, is for many months in the year generally as low as from 40 to 60 in the morning, and the cold is as much felt as it is in this country, except during hard frost; the natives require warm clothing, but they have all their own coarse woollens, and many of the richer sort, who do not use those woollens, employ, in their room, quilted silk and cotton, which is both warm and light.—The common woollen which the natives generally use is a piece, as it comes from the loom, of about six or seven feet long, by four or five broad; such a piece generally costs 1*s.* 6*d.* or 2*s.* the coarser kind; the finer kind, much of the same texture as our camlet in this country, is made of a greater length and breadth, about ten feet long, by six or seven broad; such a piece sells for 12 or 15*s.* but it depends a good deal, I believe, upon the markets; in some parts of the country it is dearer, in others it is cheaper: I speak with respect to Mysore.—Tippoo Sultan had a considerable quantity of European articles that he had collected from different quarters, of which, I believe, a large quantity had been sent to him from France; but he made very little use of them; they were found upon the taking of Seringapatam, most of them, in a lumber room, and, I believe, many of them not unpacked. I think the market for European commodities in India certainly equal to the demand, in every part that I have seen: and much more than equal, to any probable increase which is likely to take place. The natives in India are ingenious manufacturers, and would be likely to imitate any European manufactures, for which they had any particular use, and in a very short time to carry it to such extent as to answer their own supply. They are very quick in learning all manual operations, and all arts which they think will be useful to them.

Have you the means of knowing the manner in which the Company provide the investment of piece-goods in India?—I believe the investments are provided through the agency of an European commercial resident, by means of advances given to the weavers, receiving in return the cloth at stated periods.—The weaver works indifferently for the Company and for private merchants, there is no distinction whatever; he works according to the priority of advance; if he receives it first from the private merchant, he is first obliged to supply him.

Has it not come within your knowledge, that where the commercial residents have used improper authority over the weavers, that has been effectually checked by orders of the Company's government in India?—I have had myself an opportunity of seeing an instance of the kind; in taking possession of the Barramahl, the country ceded by Tippoo Sultan, in 1792, to the Company, the persons employed in the Company's investment forced the weaver to receive some advances, and to work for the Company to the exclusion of the private merchant; but as soon as the circumstance was represented to government, a stop was put to it; and I believe such a practice has never been renewed.—The Company's servants never interfere with the free price, prices are all open in every part of India.—India is full of merchants of every class, from the pedlar up to the highest merchant; they pervade every part of the country; there is no article for which there is the most trifling demand, whether European or Indian, that is not soon carried to the spot where the demand is, by the travelling merchants; they have correspondents in every quarter upon the coast, and in the interior, and wherever they hear of a demand, they take care to supply it immediately.—The commercial character of the Company is very high all over India; but the natives of India make no distinction between the Company and the British government, they consider the purchases made by the Company for the investments in the same light as any other purchases made for the public service, whether of supplies for the army, of tents, or grain for forts; they scarcely regard them as a commercial body; the natives of India have always been accustomed to see their own governments acting as traders, purchasing articles for the public service at a low price by requisition, and selling them again at an advanced price beyond the market rate; they now see the purchases made by the Company at a fair market price, and they are astonished at the moderation of government, so different from what they

have been accustomed to see under their own native princes: I think that the commercial character of the Company has rather contributed to raise than to depress the character of the nation with the natives of India.

(Examined by the Committee.)

Can you form a judgment what would be the consequence to the British empire in India, and the British interests in Europe, if the commercial transactions of India were separated from those hands who may exercise the sovereign power?—This is a complicated question, but I should rather think that by such a separation the power of the Company of carrying into effect their government would be very much weakened.

Can you form an opinion what may be the proportion of the Hindoos to the Mahomedan population?—I can only speak of the south of India, but of that part I can speak with some certainty, as there was a very accurate census taken of that part of Mysore which was ceded by the Nizam to the Company; the whole population amounted to nearly two millions; the proportion of Mahomedans to all the rest of the population was about 1 to 19½. I think the great mass of the population of India under the British sway is certainly both submissive and contented, both apparently and in reality; but there are many chiefs and men of rank, who held situations under the old government, who cannot be expected to remain contented under any European government by which they are themselves excluded from all high situations.—I have no doubt but the Mahommedans, if they were able, would put down the British government to-morrow, and that the Hindoos, if they were able, would put down both.—I do not conceive that the discontented part of the Mahomedans would be sufficiently powerful to effect any thing against the Company's government while the Hindoo population is satisfied.

Are there not at the different presidencies British artisans and manufacturers of almost every description of trade that is exercised in this country, such as coachmakers, carpenters, cabinet-makers, upholsterers, workers in the different metals, workers in all kinds of tanned leather, tailors, and shoemakers?—I believe that all the different artisans and manufacturers enumerated in the question, are to be found at Madras, and that they will in time supply the European establishment in India with all those articles which are now sent from Europe; and that in proportion to the number of those artisans established there, the export trade of this country will be diminished.—I believe the European shoemakers have instructed many of the natives to make shoes after the European fashion, and that the cheapness of the Indian labourer induces the European to employ him; but many of the Indian shoemakers themselves make shoes of the country leather, without any connection with Europeans; they sell them at various prices, it depends entirely upon the quality of the leather; I have seen them, I think, from 1s. a pair to 8s., made of country tanned leather.—I conceive the woollen cloths made by the natives of India, to be better adapted to the climate of that country than what we make here; they are better for suffering all the rough treatment which they receive from the natives, being thrown upon the ground, and they are likewise, I think, more water-proof.

Are the Hindoo women kept in a state of seclusion?—The Hindoo women, with the exception of one or two very small tribes, which perhaps do not form one fiftieth part of the population, have as much liberty, and I imagine more, than the women in Europe; I believe there are no men who have been in India, that may not see the women of all ranks, young and old, bathing every day, not only in retired places, but at large garrisons of Europeans, and without being at all alarmed at the appearance of Europeans.

Is their state that of slaves to their husbands?—Their state is not that of slaves to their husbands, they have as much influence in their families as, I imagine, the women have in this country; I often found them, when in charge of the ceded districts, very troublesome tenants as farmers; I have frequently known women of respectable families, who kept their husbands, and sons grown up, at home, and came to the cutcherry to debate about their rents.

If the European regiments were to be reduced, and the infantry of the Company's army were to consist of natives alone, what would be the effect upon the character and the efficiency of the Company's army in general, and on the European officers of native corps and sepoys in particular?—If such a separation were to take place, I am of opinion that it would tend materially to destroy the efficiency of

the Company's army; it has been a part of our military policy in India to raise the European character by all possible means, to employ Europeans only in leading the assaults of all places taken by storm, and to employ them in the field in all enterprises where courage is required; by a separation of the European part of the establishment from the native, the European part of the establishment will be exclusively employed in all those services in which military renown or distinction is to be acquired: in the sepoy service, the officers cannot be employed, except in all the lower drudgery and fatigue of war; they will in consequence sink in their reputation, and will become in time little better than a kind of country militia; they will become somewhat like what the sepoys of the French government formerly were, who, being separated from the European branch of the service, were commanded by officers of an inferior description; the officers, by being excluded from all great occasions of signalizing themselves, would sink in character, and would be held in no estimation by the officers of the European part of the establishment; the sepoys whom they commanded would likewise lose their respectability, and the whole native branch of the establishment would then become no better than a native army is when commanded by Europeans under a native prince; the European officers of the sepoy establishment, excluded from all distinction, both in India and in their own country, would become discontented, and they would most probably in time, sooner or later, by means of a civil war, effect the separation of India from this country.

Is there not a considerable growth of cotton wool in different parts of India?—There is in most parts of India.—I have no doubt but that the growth might be greatly increased; there is no particular advantage to the farmer in the cultivation of cotton, he derives no more profit from it than he does from grain.—There is a great variety of kinds of cotton wool grown in India, some long staple, and some shorter, some cotton that is biennial, other that is annual.—I have no doubt but that the quality might be considerably improved by proper encouragement.—I think that the supply might be carried to any extent.

Have they not in different parts of India the seed of the cotton grown in the island of Bourbon, and may not the same be cultivated to produce cotton wool of equal quality in India?—I have only seen some small experiments made in India upon the Bourbon cotton, and I am doubtful if it can be brought to answer upon a great scale in India, in the climates to which I have been accustomed, because the Bourbon cotton does not grow without artificial watering; the Indian cotton grows without any watering, it is left entirely to the rain and dew of heaven: but it is probable that the difference of price in the Bourbon cotton might compensate for the expence of watering; there are probably districts in India where there is moisture enough to supply the want of artificial watering.

Do you think that an open trade, under the present restrictions in regard to residence, to the principal settlements of India, would be followed by any consequences likely to disturb the government and tranquillity of that country?—An open trade under the present restrictions, and supported likewise by an act of the legislature from this country, and such a trade confined to the principal establishments, could not, I apprehend, be productive of any consequences detrimental to the peace of the country; it might occasionally produce disputes at those principal settlements; but the European authorities already established there would be quite sufficient to controul them.

Do you conceive that the number of Europeans now in India would be greatly augmented by the establishment of an open trade?—I imagine that at the first opening of the trade, the number of Europeans would be very considerably augmented; but I imagine that, by degrees, that number would limit itself to the demand of the trade; that no person could remain in India, unless Europeans employed either in trade themselves or as agents for commercial houses; they could not possibly subsist by manufacturing, on account of the superior skill of the natives; and if the trade was not greatly increased beyond its present extent, I conceive that the European settlers in that country could not, for any length of time, be greatly increased.

Do you think it possible that any considerable portion of Europeans can maintain themselves in India, so as to colonize that country?—The Europeans at present, by law, cannot become proprietors of land in India; they cannot be manufacturers, on account of the superior skill and economy of the natives; they are therefore

excluded from almost every other means of subsisting themselves, except by trade; and I therefore conceive that their numbers never could augment so greatly as to make them what might be called a colony.

Then the Committee is to understand, that in your opinion, if the colonization of India were desirable, it is not practicable?—I do not think that the colonization of India, under the existing regulations, by which an European in India cannot become a proprietor of the native soil, is practicable; and supposing it to be desirable, and that that law was repealed, I hardly imagine that even then they could colonize to any extent; they would be borne down by the superior population of the natives, more industrious and more economical than themselves.—I acquired a very complete knowledge of the character, both of the Mahomedan and Hindoo population; and from all I have been able to observe, I have very little hope of any material increase being produced, except at some very distant period, upon the export of our own manufactures, even if the price is reduced; because I do not apprehend that there is likely to be such a reduction as can bring our manufactures into competition with those that the natives require and can produce in their own country: it has been sometimes said, that the natives have a prejudice against the manufactures of Europe; the Hindoos have no prejudices against the use of any thing that they can convert to an useful purpose, whether European or native manufacture, it is pure as it comes from the hand of the workman to all Hindoos; but they have one prejudice which I believe also is a very common one in this country, against the paying a higher price for a worse commodity, and until we can undersell them in such articles as they now require for their own use, we have no hope of extending the use of our own manufactures in India; it is entirely a question of price; whenever we can undersell the Hindoos in any article which they require, it will find its way into the interior of the country without much help from the British merchants; it will find its way to the interior in spite of all regulations to prevent it.—I have no doubt but that the possession of the means of purchase would tend greatly to facilitate the consumption of European articles in India; but I imagine that the first use which the Hindoos would make of the improvement of their own circumstances, would be to purchase a larger quantity of their own manufactures, which are so much better adapted to their climate, and so much superior in beauty to ours.—I apprehend that a free trade, so far as it encouraged the manufactures and raw produce of the country, would tend to increase the prosperity of the inhabitants; and I have no doubt but in one article in particular, that of cotton, an increasing demand would be very beneficial to the country. I imagine that in seasons of scarcity very large supplies of rice might be obtained from India.—I imagine that an open trade, restricted, to the principal settlements, under such regulations as might be established, would be productive of an increase to the prosperity of the country, but that that would be very slow and very gradual: with regard to civilization, I do not exactly understand what is meant by the civilization of the Hindoos; in the higher branches of science, in the knowledge of the theory and practice of good government, and in an education, which, by banishing prejudice and superstition, opens the mind to receive instruction of every kind, from every quarter, they are much inferior to Europeans: but if a good system of agriculture, unrivalled manufacturing skill, a capacity to produce whatever can contribute to convenience or luxury; schools established in every village, for teaching, reading, writing and arithmetic; the general practice of hospitality and charity amongst each other; and above all, a treatment of the female sex, full of confidence, respect and delicacy, are among the signs which denote a civilized people, then the Hindoos are not inferior to the nations of Europe; and if civilization is to become an article of trade between the two countries, I am convinced that this country will gain by the import cargo.

When you speak of such regulations as might be suggested for carrying on a free trade, so defined by you, without any danger to our possessions in India, what sort of regulations have you in contemplation?—The detail of those regulations would perhaps be more extensive than I could immediately mention; but among them I should continue those that now exist in India, supported by similar regulations established in this country, which should leave no hope of any person being enabled to reside in India, without the licence of government, or of his being enabled to remain there after he should

by his conduct have made it necessary to remove him; it might be necessary to oblige masters of vessels going out to India, to account for all their passengers and crew, and to bring back all who were not permitted by licence to remain in the country; there might be some other regulations, which I cannot at present suggest; but I have no doubt that, by restraining the trade to the three principal establishments, there would be no difficulty in preserving the peace of the country and the security of the government. If every person in the United Kingdom were allowed to go to India, and to what part of the coast he pleased, I am of opinion that very great danger would arise to the security of our possessions in that country; there would be constant disturbances at all the little sea-ports upon the coast; those disturbances might not immediately affect the stability of the government, but they would greatly tend, at a future period of war, or of the invasion of an enemy, to facilitate the overthrow of our power, by rendering the minds of the natives disaffected to the British government.

The Chairman reported progress, and asked leave to sit again. [Withdrew.]

MARQUIS OF WELLINGTON'S ANSWER TO THE VOTE OF THANKS FOR THE BATTLE OF SALAMANCA.] The Speaker acquainted the House, that he had received from general the marquis of Wellington the following Letter in return to the Thanks of this House, of the 3d of December last.

"Sir, *Frenada, March* 22, 1813.

"I have the honour of receiving your letters of the 4th December and 4th February last, in which you inclosed the resolutions of the House of Commons conveying the approbation of the House of the conduct of the general officers, officers, and troops, under my command, Portuguese as well as his Majesty's subjects, during the late campaign in the peninsula, and particularly in the battle of Salamanca, which I have had the satisfaction of communicating to those concerned.

"I beg that you will do me the favour to make my acknowledgments to the House for the favour with which they have again viewed my conduct in my endeavours to serve his Majesty and his allies, and for the honour which they have conferred upon me by their approbation.

"I beg likewise that you will accept my most grateful thanks for the handsome terms in which you have conveyed to me the sense of the House.

"I have the honour to be, with the greatest respect, your much obliged and most obedient humble servant,

"WELLINGTON."

"The right hon. Charles Abbot, Speaker of the House of Commons, &c."

DEPUTY REMEMBRANCER'S OFFICE BILL.] Mr. *H. Martin* moved the order of the day for the committal of the Bill for the regulating the office of Deputy Remembrancer of the court of Exchequer.

Mr. *Wharton* expressed a wish, that the hon. and learned gentleman would postpone the Committee to some other day.

Mr. *Martin* was anxious that the Bill should make some progress, as it had been so long before the House.

Sir *J. Graham* thought the Bill very imperfect, and that it could not receive sufficient discussion that night. He wished to move amendments almost in every line.

The House then went into the Committee.

Sir *J. Graham* proceeded to state some of his objections to the principle of the Bill, and contended, that it differed entirely from the Bill for regulating the office of accountant-general in the court of Chancery, to which it professed to be similar in its provisions. He objected to the manner in which it had been brought into the House, without any opinion or approbation of the barons of Exchequer, who were so eminently qualified to form a judgment upon its expediency. The object of the amendments which he should move, was to afford some remuneration to the officers of the Exchequer who would be injured by the operation of this Bill.

Mr. *Martin* defended the principle of the Bill against the objections of the hon. baronet. He had no objection to any amendment, which should have for its object the remuneration of the clerk of the offices, if it were deemed necessary. He wished the clauses of the Bill to be gone through now *pro forma*, and that the Bill should be printed before its next stage.

Sir *J. Graham* wished the Bill to be recommitted, as he intended to take the sense of the House on every part of it.

The clauses were then read *pro forma*; after which the House resumed, the Report was brought up, and the Bill ordered to be recommitted on the 7th of May.

Aid to Portugal.] The House having resolved itself into a Committee of Supply,

Lord *Castlereagh*, in calling the attention of the House to the most gracious Message of the Prince Regent, as that to which it referred had been already several times before the House, and he not being aware that any thing had occurred to induce them to depart from the line of policy they had pursued for several years, did not feel it necessary to go into the subject, as it had been gone into on former occasions. Satisfied that in the present state of the war, parliament would be ready to give to Portugal the same Aid which it had formerly granted, he would not trespass on the time of the House, but holding himself ready to give any explanation that might be required, or to meet any objection that might be urged, he should move precisely the same grant as had been made in the last year. He then moved, "That a sum, not exceeding two millions, be granted to his Majesty, to enable him to continue to maintain in his pay a body of Portuguese troops, and to give such further aid and assistance to the government of Portugal, as the nature of the contest in which his Majesty is engaged may appear to him to require."

The motion was agreed to.

Sicilian Subsidy.] Lord *Castlereagh* said, that the next subject to which he had to call the attention of the Committee, was the Sicilian Subsidy. The House would recollect that this was a grant to which the faith of the country was pledged. Regulations, however, had been made since the subject was before the last parliament, which might supply an additional inducement to come to the vote he should recommend. He then moved the grant of a sum not exceeding 400,000*l*. to enable his Majesty to make good, the engagements which his Majesty has entered into with his Sicilian majesty, in the year 1813.

Mr. *Whitbread* wished to know what were the regulations alluded to by the noble lord, as likely to induce the House to come to this vote with more than usual alacrity, and whether the advantages held out were likely to be realized?

Lord *Castlereagh* felt he might be to blame for not having gone more into the subject, The treaty recently concluded with Sicily being before the House, he had assumed the House to be in possession of its contents. By that nearly two thirds of the subsidy were put under the care of the British commander in Sicily; and were made generally applicable to the service of the Mediterranean. There were at present 6,000 men actually serving in Spain, who were paid out of the subsidy, which was much more generally applicable to the exigencies of the war than formerly. By the treaty, more than half the forces of the Sicilian government were placed under the British commander.

Mr. *Whitbread* said the noble lord had described as regulations what, in point of fact, were stipulations. The 6,000 men employed in Spain might undoubtedly be of considerable service, and it was certainly a great amendment that the money was to be so applied which used to be granted so loosely. He wished to know of the noble lord, whether those regulations which had been adopted at the suggestion of the British government, were likely to produce those political advantages to the people of Sicily and to this country, which had been held out as that which might be expected?

Lord *Castlereagh* observed, it was a very great question which had been put to him. The hon. gentleman was aware that the basis of a constitution had been laid down very different from that which was formerly the constitution of Sicily. This was in progress of discussion, but was not yet finally completed. He was sanguine enough to hope great advantages from it. He trusted it would prove beneficial to the Sicilians and their posterity, and secure their attachment to this country. The hon. gentleman was aware this country had never attempted to exercise such a controuling power in Sicily, as would be inconsistent with the independence of its government. It had been the endeavour of ministers to unite the feelings of the people, and embark their whole means of defence in the common cause.

Mr. *Whitbread* said, if the constitution was a good one, it would be most satisfactory to find that it benefited the people of Sicily. If it was felt to do this, we should have in Sicily an ally altogether different from what she had hitherto been, —an ally who was ours in word, in deed, and in spirit.

The motion was agreed to.

Irish Miscellaneous Services.] Mr. *W. Fitzgerald* hoped that the Resolutions he was about to submit to the Committee,

would not experience much opposition. He regretted the absence of a right hon. baronet (sir J. Newport) whose industry and attention he could not but admire, however he might differ from him in the view he took of many subjects which came before the House. On his account he could have wished to have postponed the Resolutions, if they could conveniently have been postponed till after the adjournment. The first Resolution he should propose was, the grant of a sum not exceeding 32,965*l.* 1*s.* Irish currency to defray the expences of the Board of Public Works in Ireland for the year 1813. On this estimate it would be seen there was an excess of 2,436*l.* over the vote of last year. This was occasioned by important works, which had been long delayed only on account of the necessity which had existed for waiting till others were completed. One of these was the widening of the passage to the Castle Yard. This was necessary, as there was hardly sufficient room for two carriages to pass, and therefore it was not a fit avenue to the residence of the lord lieutenant. In the last year a sum had been expended fully equal to that now called for. Those with whom the business of bringing the estimates forward this year rested, had thought it best to come at once to the House for the sum required for the year. He then moved, "That 32,965*l.* Irish currency be granted to defray the expenditure of the Board of Works in Ireland, for the year 1813."—This vote after some remarks from Mr. Bankes, and Mr. Wynn, which were replied to by Mr. Peel, was agreed to.

Mr. *Fitzgerald* moved, "That 10,500*l.* Irish currency be granted for defraying the expence of publishing proclamations, and other matters of a public nature, in the Dublin Gazette, and other newspapers in Ireland, for one year."

Sir *Henry Parnell* rose to oppose this Resolution. He considered that this sum was not at all wanted, as the proclamations might in Ireland be as well published in the Gazette as in this country. The fact was, that this sum of 10,500*l.* was a sum completely at the disposal of the Irish government for the purpose of influencing the Irish press. No proclamation was even published in any newspaper that was not entirely devoted to the government, and some of those papers owed their existence to the proportion of this sum which the government gave them. He had seen a paper concerning the management of a particular paper, in which 1,200*l.* per annum, received out of this annual vote, was stated as part of the profits. A newspaper that was tolerably independent, would consider it a degradation to insert a government proclamation. Those that did insert them, were ready to do any work that was prescribed to them for the government, and were particularly remarkable for their vituperation of the Catholic body, and of every one who advocated their cause. If the Committee voted this 10,500*l.* it by no means followed that the Irish government would be content with that; they would take whatever more they wanted for this purpose out of the vote of credit. He opposed the Resolution as entirely unnecessary, and as only giving to the Irish government the means of corrupting a part of the Irish press.

Mr. *Fitzgerald* lamented that a vote of money necessary for the service of the country could not be argued on its own merits, without introducing the question of the Catholics. It was a regular vote of the Irish parliament before the Union, and it was regular and proper now. It was incorrect to state that the government encouraged vituperation of the Catholic body; neither was the assertion justifiable that the sum was made use of to bribe the newspapers. The Gazette of Dublin, being very limited in its circulation, was insufficient to give publicity to the proclamations where outrages were so frequent.

Mr. *Whitbread* observed, that his hon. friend had not said that papers were hired to attack the Catholics, but that it happened unfortunately that the papers so patronized by government did so attack them. The vote in question answered the end of counteracting the proclamations, as they would otherwise be copied from the Gazette into the public newspapers, as was the case in this country. If it were proper to send them to one paper, the proclamations should undoubtedly be sent to all; but if they were sent to particular papers, it was in fact purchasing those papers.

Mr. *Peel* said, the proclamations were not merely sent to the government papers, but to many whose editors had been convicted of libels against the government. During the administration of the hon. baronet's friends, between 17 and 18,000*l.* had been expended in this manner.

Mr. *Bankes* saw no ground for opposing the grant, and thought it unfair to describe

the application of this sum as any interference with the press on the part of government.

After some further discussion, in which sir H. Parnell, Mr. Whitbread, Mr. Fitzgerald, Mr. Tierney, Mr. Croker, Mr. Peel, Mr. Ponsonby, and Mr. Rose participated, the Resolution was agreed to without a division.

Mr. *W. Fitzgerald* then proposed, that a sum not exceeding 9,673*l.* be granted for the Roman Catholic Seminary in Ireland. He thought it right to observe, that this sum was greater than had ever before been granted; there was an addition of 700*l.* This increase was not occasioned by there being any new plans in contemplation; it was, in fact, for the purpose of completing the old establishment; it was to superannuate those who should have filled the chair for a certain period, or who should become too old to fulfil the necessary duties. Lord Dunmore had bequeathed 500*l.* for this purpose, and to fulfil the object of that bequest the additional 700*l.* was now called for.

The Resolution was agreed to.

HOUSE OF LORDS.

Tuesday, April 13.

AID TO PORTUGAL.] The order of the day being read for taking into consideration the Prince Regent's Message on this subject,

The Earl of *Liverpool* rose to move a correspondent Address to his royal highness the Prince Regent on the occasion of the Message. He observed that the measure to which the royal communication referred was substantially the same as that which was adopted by his Majesty's government, and concurred in by parliament, for affording an effectual and most salutary assistance to the government of Portugal. He felt it was unnecessary to take up their lordships' time, by an enumeration of the various considerations that gave rise to the proposed measure. He would, however, say, that there never was an instance of a subsidy granted to any power where a greater or more effectual exertion of the means of that power had been made than in the case before them. Great and powerful exertions might have been made in other instances, but in that under consideration, under the system which had been for some years past adopted, the Portuguese government had been enabled to create and establish a military force, which vied even with the force of Great Britain itself, in bravery and discipline, and in every advantage belonging to an army. He would not trespass further on their lordships, but simply move an Address to his royal highness the Prince Regent, assuring him the House was highly sensible of the important advantages which had resulted from the Aid afforded by his Majesty to the Portuguese government in the last campaign; and that their lordships would cheerfully concur in measures to enable his Royal Highness to continue the same support to that government in the present year, and to enable the allied powers, to make additional exertions in the peninsula, in furtherance of the common cause.

The Address was agreed to *nem. dis.*

HOUSE OF COMMONS.

Tuesday, April 13.

MOTION FOR APPOINTING A SELECT COMMITTEE ON THE EAST INDIA COMPANY'S AFFAIRS.] The House having again resolved itself into a Committee of the whole House to take into farther consideration the Affairs of the East India Company, Mr. Lushington in the chair,

Lord *Castlereagh*, before the admission of witnesses to the bar, wished to call the attention of the Committee to the stage at which they had arrived, of the proceeding before them. He apprehended that there was but one wish on all sides; namely, that the enquiry should be conducted in such a manner as to give the fairest opportunity to all parties to establish their respective claims, and yet in such a way as to give as little interruption as possible to the general business of the country in parliament. It had happened in the course of the proceedings on that subject, as it had happened in the course of the former proceedings of a similar description, that they had been found much to interrupt the general business of parliament, while, at the same time, they had themselves been very much interrupted by the general business. When, on former occasions, a similar embarrassment had been experienced, parliament had had recourse to an effective mode of relief. In the investigations into the Slave Trade, in the year 1791, after the proceedings had been commenced in a Committee of the whole House, and after the evidence to a certain extent had been heard at the bar, the whole course of the affair was found to be so embarrassing that

the Committee were compelled to report to the House that it would be expedient to refer the inquiry to a Committee above stairs, open to all members, and sitting at hours which a Committee of the whole House would not appropriate to the investigation. It must be evident to all who heard him that, in the present instance, both the investigation itself and the general business of parliament had been much interrupted and embarrassed by the inquiry at the bar; that inquiry had proceeded for about a fortnight, and yet the condition of it was, that (as he was informed) not half the witnesses on the part of the East India Company had been hitherto examined. When the examination of these witnesses bad closed, there would necessarily be a large body of evidence brought forward by the parties adverse to the claims of the Company; and there were also a variety of points connected with the general shipping interest, on which it was indispensible to elicit information in the shape of evidence. Under all these circumstances, it appeared to him, that to follow the precedent to which he had alluded, would be to afford the fairest opportunity of giving satisfaction to all parties. It would afford the fairest opportunity of obtaining full information as to the various bearings of that great and important question, and of avoiding the precipitation of the decision upon it, before that full information had been so obtained; and on the other hand it would prevent either unnecessary delay in the examination, or interference with the general business of the country. There would be another advantage attendant on referring the investigation to a committee out of the House. Such a committee might sit, notwithstanding any adjournment of the House itself. He certainly did not entertain any sanguine hope that a Select Committee would be induced to sit throughout the approaching holidays; but perhaps such a committee might be satisfied not to allow their holidays to be co-extensive with those of the House. But even if he were wholly disappointed in this expectation, still the great point for which all parties must be desirous, would be gained by the creation of such a committee; namely, that the inquiry would assuredly go on every day on which parliament sat from eleven o'clock in the morning to the usual hour at which the House assembled. Let the Committee consider what must be the result, if the inquiry before them were to be suspended, as it necessarily must be, on the occurrence of general business of great moment. The discussion of the Catholic Bill, for instance, would soon come on, and then the East India investigation could no longer be permitted to be a preliminary proceeding; but the whole and undivided attention of the House must be devoted to the important question that would be before them.—He trusted, therefore, that the Committee would so dispose of the business as to render the attainment of these two great objects compatible. He allowed that he had understood, in the course of private conversation with some hon. gentlemen, that doubts were entertained whether the public did not derive great benefit from the manner in which the inquiry had hitherto been conducted, in consequence of the impression made in the Committee, and the attention which the proceeding before a committee of the whole House had excited. If these doubts had any solid foundation, he would say no more on the subject; but really as far as his own observation had extended, he did not perceive any of the benefits which had been described. He did not perceive that the attendance had been such as had been stated to him. In saying this, he did not mean to cast any reproach on the absentees. It was within his perfect knowledge, that in all former enquiries of that nature, many honourable members preferred reading the evidence taken verbatim, by the short-hand writer, to hearing it at the bar; and it did not seem to him, that in the present instance, there had been any greater disposition manifested to obtain information on the subject by a personal attendance. On the contrary, much interruption had been occasioned in several instances by the arrival at a late hour of the Committee of honourable members who came to be present at the transaction of the general business, but who impeded the proceedings by putting questions to the witnesses which had been satisfactorily answered at an earlier period of the evening. He was aware that a similar inconvenience would attend a committee above stairs; but it would not exist to so great an extent, and this paramount advantage would be gained; namely, that the inquiry would be carried on in the most convenient mode, as well as in the mode that would be most compatible with the other duties of parliament. It was in vain, in

his opinion, to hope that the investigation could be allowed to occupy four or five hours of every successive day, unless the precedent set in the case of the slave trade were adopted, by the appointment of a committee above stairs open to all members, and in which all who attended should have voices. He hoped the Committee would concur with him in the expediency of the measure which he had suggested, and he should therefore move, that the Chairman should report the following Resolution, "That in order to facilitate the progress of the said Committee, in the matters referred to them, a Select Committee be appointed for the purpose of taking the examination of such witnesses as shall be ordered by the House to attend the said Committee of the whole House, and to report the minutes of such examination, from time to time, to the House."

Mr. *Robert Thornton*, on the part of the East India Company, expressed his hope that the Committee would not acquiesce in the suggestion of the noble lord. By the mode which had hitherto been pursued truth had been elicited, and a consequent impression of a very powerful nature had been made on parliament, and on the country. When such had been the progress of the investigation, he trusted that no new mode would be adopted, by which the business should be carried on in a corner, or the interests of the Company put upon a shelf. He conceived that in a case of such unexampled magnitude and importance, it would not look well so to treat the East India Company. He professed on the part of the Company, that they had not many more witnesses to examine; and he entreated that they might be allowed to conclude the examination in the way in which it had been commenced. He had just come from a court of directors; and he assured the Committee that he spoke not his own sentiments alone, but those of that body. The noble lord had adverted to the investigation of the slave trade. The cases were not analogous. Let the Committee recollect the great length of the examinations respecting the slave trade. Even the examination into the Orders in Council (an examination carried on at the bar) had been of much greater length than the examination into which the Company would presume to enter. When he considered the various advantages derived from the existing mode of enquiry, the opportunity it afforded of cross-examining the witnesses, &c. he deprecated any departure from it. An attempt was making to set aside an establishment which had existed for above 200 years; and he trusted they would be afforded every means of fairly meeting the hostility by which they were assailed. He could see no reason whatever for changing the mode of proceeding, and he was persuaded that if it would be any inducement to the Committee not to consent to the proposition made by the noble lord, the Company would even curtail the evidence which it had been their intention to bring forward at the bar.

Mr. *Bathurst* was at a loss to know how the impression which the hon. gentleman talked of having been made on the country could have occurred, the country having as yet no report of the evidence taken before the Committee. In his consideration of the subject, the hon. gentleman also had left out the other parties to the question, who had as good a right as the Company to wish to make an impression on the country. The hon. gentleman talked of the business being carried on in a corner; now, the other parties would have the most reason to complain of the proposition of his noble friend, and to say "you heard the Company's witnesses for a fortnight at the bar of the House, and now you are about to hear our's in a corner." But the fact was, there was no corner at all. What parliament wanted was, to embody all the evidence that could be procured in as accessible a form as possible; and this could be done better in a committee above stairs. As to the attendance, only those had attended the Committee of the whole House who were nearly interested in the question, and those could attend as well in the Committee above stairs. He hoped that the proposition made by his noble friend would be agreed to.

Mr. *Tierney* knew of no design to procrastinate. He was deeply impressed with the necessity of terminating the business early; but he thought the suggestion extraordinary. It went to this length, if admitted at all, that there was no superior advantage in an examination at the bar. If so, instead of making a special report, better say, there shall be no more such examinations. He could not figure to himself a question of more importance to every man in the country than this, which it was stated might expose to hazard the safety

of our whole Indian empire. The noble lord did not propose such a step as this on the Walcheren enquiry: he attended that, in his place, and afterwards made out the best case he could for himself. Surely he might have met the examination on the Orders of Council up stairs. He must assert, that he never remembered any enquiry attended by a larger number of members than the present. As to the other parties who were to be heard, it might be a hardship to them; or it was possible they might like better to go up stairs; or, without bringing any evidence whatever, they might rely on the support of government. The Company were entitled to be heard out. They had shewn their disposition to expedite the enquiry, by waving the claim of being heard by counsel both as to opening and summing up. Was that a proof of procrastination? It was impossible to ask shorter, or more pertinent questions than had been put by their counsel at the bar. This most important question had rapidly increased in its importance. Some went now so far as to recommend the abolition of the Company, and the throwing open of the India trade. As for printed reports they were produced yearly, but were too voluminous to be read by many. He knew that great weight had been produced by the enquiry at the bar. When gentlemen saw so many respectable persons examined, uniform in their testimony, it made a natural and strong impression on their minds. Some of these were not particularly pleased with the directors, yet their evidence was the same. No business was, or could be of more importance. Would the House cut it off in the midst of its progress? In a case of the excise or customs, how many would pore over a report about cockets and dockets? But put a commissioner at the bar, and see the different result. He felt that the Company were hardly dealt with. They had enemies springing up all around them. They ought to give their answer to their accusers in the face of day. Many things said, were true enough; such as that a government had more energy under a sovereign, than in a complex form; that monopoly was not so good as freedom of trade; and that the fewer restrictions on commerce the better for it. But the question now was a matter of opinion about a great meditated change, and the best way to settle it was to have the opinions of the best judges. Unless they were fairly listened to, the noble lord might carry any measure against the Company. The proposition was most unjust. If necessary to sit during the holidays, he would consent to it: but if he had attended in his place pretty regularly, and had taken more interest in the question than some others, from his view of its importance, and from its having much occupied him in earlier years, he did not see why he was to be sent up stairs during the holidays because it suited the noble lord. He put it to the noble lord's justice, whether, when he considered the outcry raised, and the sanction given to it by high authority, he could mean to cut off the enquiry thus? The House had itself already determined the mode of procedure. There was still less reason for the measure, because he was told that the Company's counsel had brought the examination to such a point, that it would not occupy more than five or six days. He implored the noble lord not to give the public reason to think that some effect had been produced by the evidence which had induced him to put an end to it.

Mr. *Ponsonby* was of opinion that the East India Company appeared in the character of defendants, that they had to maintain a possession, which it was proposed to take from them, and that therefore they had a right to the most favourable and patient hearing. He did not mean to offer the least inclination of opinion on the question itself, but the wishes of the Company ought to be attended to. Their evidence, he understood, would not last more than five or six days longer; and whatever might be said about pleasure and relaxation during the holidays, he must be permitted to remind the House that they had a duty, which it was their first business to attend to.

The *Chancellor of the Exchequer* did not look upon the Company as defendants. They were at the end of their lease, and they came to petition for the liberty of retaining, for twenty years more, a sovereignty over sixty millions of people, and the possession of all the trade of Asia. He saw no advantage resulting from continuing to examine at the bar, that could not be attained up stairs. The case of the slave trade proved the propriety of a similar proceeding with that now proposed. The other House had adopted the mode of a Select Committee sitting in the morning, as the more preferable one.

Mr. *Grant* objected to the motion: he said, that if the Company were not allowed

to proceed in the mode which had been already adopted they would be very hardly dealt by; they thought they were entitled to have their cause heard before the whole House, and surely the noble lord could have no desire to prevent them from substantiating their proofs in such a manner as in their opinion would tend most materially to prove to the public the existence of the rights for which they contended.

Lord *Castlereagh* assured the Committee, that he did not wish to preclude the Company from any mode of proving what they thought necessary to the maintenance of their case; but he thought the Company had no right to set themselves up as arbiters of the proceedings of parliament, of which parliament was the sole judge. He was convinced that delay must be prejudicial to all parties; and he would therefore, act on his own judgment, because he saw great detriment to the public business, if this important question was not dispatched as soon as possible. If it was suffered to go on as it had begun, and was not sent to a committee above stairs, it must, in the course of things, be continually interrupted after the recess by a press of public business, that could not be resisted; and, therefore, he thought the Company ought to wish for a Select Committee more than any other person whatever.

Mr. *Astell* opposed the motion, maintaining the unfairness of smothering the remainder of the petitioners' case, by sending it up stairs.

Lord *Castlereagh* replied, that nothing was further from his wish than to do injustice to any of the parties.

Mr. *Ponsonby* denied very strenuously that he had asserted that the House was to be controuled in its proceedings by the dictates of the East India Company. The noble lord, in truth, was the author of all the inconvenience that had yet, and would hereafter result; for if the examination at the bar was objectionable, he ought to have opposed it *in limine*.

Lord *Castlereagh* said, he had no notion the Company would have called witnesses to the extent to which they had done; but now, perceiving that the examination would have the effect of retarding public business, he felt it to be his duty to persist in his motion.

Mr. *Canning* said, he had regularly attended the sittings of the Committee, with a mind perfectly open to conviction upon all points but one: he was certain from the commencement that the right of sovereignty ought not to be taken from the East India Company, after the benefits that had resulted from the exercise of their authority. He begged leave however to guard himself against any construction of hostility to the interests of the Company from his acceding to the proposition of the noble lord. He begged leave to state distinctly that having the honour to represent one of those great towns whose interests in a certain sense were opposite to those of the Company (not so opposite he trusted, however, as not to turn out reconcileable in the end) he had felt it his bounden duty to attend to the course of the examinations, rather than to rest satisfied with a subsequent perusal of the evidence printed, as those not so intimately interested might do, and this he had done with a view to the forming a sound opinion upon the whole of the question. He thought it fair to state that having collected the opinions of many persons standing in the same situation with himself, and others more closely interested, he could say that they were no parties to the present proposal—they had no wish either way, but were prepared to submit to the decision of parliament. His opinion was founded on the belief that if the House were to go on at the same pace as hitherto with the examinations, they might have them protracted from the pressure of other business, to a period when it would become necessary to adjourn the decision of the question to another session.

Mr. *Tierney* said, he had originally stated, that if the usual number of hours were given to this, that had been allowed to subjects of the like nature, the whole of the evidence on the part of the Company would be concluded before the holidays. However, that had not been the case. Except during one evening, the Committee had never sat above three hours: notwithstanding, as it was situated at the present moment, the whole of the evidence might be gone through in four days more; there were two to come before the recess, on which there was no business of consequence to occupy the attention of the House. If, therefore, these two evenings before the holidays were dedicated chiefly to this examination, not more than two days after the recess would be required to complete the whole; and surely two days might be spared from the public business on a matter of such magnitude and importance.

Lord *Castlereagh* said, that after the evidence was concluded, there would be a necessity of submitting certain Resolutions to the House, as a foundation for the Bill which must be brought in: these resolutions would be debated at great length, and the same would afterwards be the case with the Bill: he must therefore persist in his motion.

A division then took place; for the motion 95: against it 37.—The noble lord then said, that as the Committee had come to the decision they had done, that decision would be reported to the House, and the House would agree or disagree with their Report as they thought proper. In the mean time, it would be the business of the Committee to proceed with the examination of witnesses, and to make as much progress therein as was in their power.

Minutes of the Evidence taken before the Committee of the whole House of Commons on the East India Company's Affairs. *(Continued)*]. The Committee then proceeded with the Examination of Witnesses.

Colonel Thomas Munro was again called in and examined by the Committee, to the following purport:

Would not a considerable reduction in the expence of the transportation of cotton naturally give advantages to the purchaser of cotton in India, with a view to its sale in this country, and thereby tend to enable him either to give an advanced price in India or to dispose of it upon more moderate terms here?—The reduction of the charge of freight, in so far as it would enable the cotton to come to this country, would certainly increase the quantity—Cotton in India does not yield a greater profit in general than common grain, because the demand for it is not very considerable; but every increase of the demand, which should raise the price, would likewise extend the cultivation and increase the quantity of produce. I believe that orders have at different times been sent by the government of India, to encourage the growth of cotton, but I do not know of any other article for which orders have been sent.—I should have no doubt that if persons skilled in cotton were admitted into the interior of India, they would probably find the means of improving the quality of the cotton.

According to your opinion, would not an open trade give additional facilities and encouragement to such persons as have been described in the last question, to accomplish those objects?—I am of opinion that all those facilities might be given as the trade now stands, with proper regulations, by granting such persons licences to proceed to the interior, and settle in the situations they best liked.

You have stated, that the opening of the Indian trade to the private merchants of this country would not be dangerous, if confined in India to the three presidencies; might not the other ports to which the honourable Company's ships resort, be added with equal security, under the same restraints, as to Europeans, as now prevail at the presidencies?—It could not be extended to all the ports to which the Company's vessels now resort, without considerable danger to the peace of the country, because the ships of private traders are not under the same discipline as those of the Company; they must be confined either to the principal settlements, or to such settlements as have an European garrison and European magistrates established.

In such ports as have those establishments, or where European traders might be placed under the necessary restraints, is it your opinion that a free access might be allowed without danger?—I think that in such places it might be allowed without danger; there might be some inconvenience occasionally, but I should suppose there could be no danger.

Are not the goods of the interior brought in great abundance to the principal seaports by the natives, cheaper than if this was done by European agency?—They are.

When the European merchants settled at the principal seaports, require particular articles from the interior, do they not, generally speaking, find it more for their advantage to employ natives for this purpose, than to proceed into the interior themselves?—I believe that on such occasions they always employ natives; that there is scarcely an instance of their going themselves.—I imagine that if the trade were opened as proposed, the resort of Europeans to the interior for some time would be considerable; because Europeans going from this country, not being acquainted with the customs of the country, would be more sanguine in their expectations of profit by going to the interior, than those Europeans are who have been some time settled in India, and know

that no advantage can be gained by going in person into the interior.—I think that private traders going into the interior, whatever their habits might be, would be likely to commit excesses, for I scarcely ever knew an instance of any European trader coming into the interior without being involved in some dispute with the natives.

Have you known of any instances of private traders going into the interior and committing those disturbances?—I have heard of many instances, although I cannot exactly recollect particulars. In the district in which I was myself, that ceded by the Nizam, there was only one European trader came into the country while I resided in it; he applied to me for a place to put up in for a few days; I sent an order to the head man of the village to accommodate him for two or three days; he was shown into an empty house, the master of which had gone on a pilgrimage; he remained there above a month, the master returned; the private trader, whether a man of quiet habits or otherwise I do not know, would not quit the house; the owner returned, and complained to me; I directed the private trader to quit the house, which he did, after receiving the order, in the course of two or three days: it was fortunate for the owner that he (the private trader) was a Dane; had he been an Englishman, he would most probably have kicked out the owner, for presuming to molest an Englishman in his castle, and it would have required a suit at law to eject him. I find no difference in traders; whether their habits are quiet or not when they quit this country, they are very seldom quiet when they find themselves among an unresisting people, over whom they can exercise their authority; for every trader going into India is considered as some person connected with the government. I have heard, that within these two or three years, I think in Bengal, in 1810, private traders, indigo merchants, have put inhabitants of the country in the stocks, have assembled their followers and given battle to each other, and that many have been wounded.

Do not our treaties with the native princes of India, prohibit their entertaining Europeans and Americans in their service, without the permission of government?—Our treaties with the principal Indian states prohibit their entertaining Europeans, and I believe Americans, without the permission of government; but I still think that, notwithstanding those treaties, they would entertain them, although not in great numbers; not as bodies of troops, they would retain them as artificers of different kinds; but there are also many feudatories under all those great states, who would entertain Europeans without any reserve, and without any controul from their government.

Which are the feudatory states to which you allude?—I could not particularize the whole of them, because I imagine there are above a hundred zemindars and polygars of all descriptions, petty rajahs, such as the rajah of Solapoor under the Nizam, who would give refuge to all persons, not only Europeans, had they gone there, but to all rebels, both from the Company's territories and those of the Nizam.

Would it be possible, in your opinion, for the principal native princes of India, or their feudatories, to entertain such Europeans or Americans in their service, without the knowledge of our political residents at the native courts of those princes?—Such Europeans could not, without the knowledge of the resident, be entertained by the native princes in their own capitals; but they might be entertained in other parts of the country, and likewise by all their petty tributaries, without its ever reaching the knowledge of any resident.

You have stated, that there exists no religious prejudice among the natives of India against the use of British manufactures, but that long established habit, and the greater cheapness of their own commodities, lead the natives to give those a preference; in as far, therefore, as this question has reference to the poverty of the people, would not the increased wealth of the natives produce the same effect as the great reduction of price mentioned by you in augmenting the demand for our commodities, since in both cases the goods would equally fall within the means of the respective purchasers?—I have said, in an answer to a former question, that any improvement in the circumstances of the natives, would induce them to apply their superfluous wealth, rather to the purchase of their own commodities, than of those sent from Europe; because I have not observed, that, among the rich natives, those who have superfluous wealth, there is any more disposition to purchase our commodities than among the poor.

Is not the woollen or hair manufacture, alluded to by you in your evidence last night, as in common use among the na-

tives of India, called The Comely; and are not those comelies chiefly used by the lower classes?—The comelies are used both by the lower classes and the higher classes; the lower classes have the coarser sort, the higher classes the finer.

Are they not necessary, in every part of India, to guard against the inclemencies of the weather, particularly the rainy season?—They are necessary in almost every part of India to guard against the inclemencies of the season.

Have you observed that those comelies, particularly the coarser kind, are common articles of dress among the higher classes of natives?—I have not observed the higher classes of the natives use the coarser kind in common dress; many of the higher classes of the natives do not use either the coarser or the finer kind; many of them use shawls in place of them, and quilted cotton and silk stuff, which are equally warm as comelies; comelies are in more general use among the poorer than the richer class.—I allude both to the ceded districts and to the neighbouring countries.—I do not know whether they are in general use among the higher classes in other parts of India or not; I only know they are in very general use, as far as Poonah.—I believe a native of rank would be ashamed to appear abroad in a coarse comely, either in other parts of India, or in those which I have been describing.

Is there any such sense of shame in respect of broadcloth, as an article of dress?—I do not know that there is any sense of shame with respect to broadcloth, because I believe that no broadcloth of so coarse a kind goes out to India, as to make him ashamed of wearing it.—I believe that they find their own comelies better adapted to the purpose for which they require them, than broadcloth.—I am not sure that the natives prefer broadcloth, even in those countries where they have not the finer comelies, to their own quilted cottons and silks.—I never saw a native of India dressed in a gown made of broadcloth in the rainy season, or in any other season; I have seen natives occasionally use broadcloth, but not made into gowns, but thrown over their shoulders, as it came from the loom.—I have heard that this habit was sometimes used among the richer natives, along the west part of India, towards Bombay and Surat.

Are not great quantities of iron, steel, copper, lead, and tin, now in common use among the natives of India?—Iron and copper are in great use among the natives of India; but I do not remember having seen or heard of much lead or tin being in use among them.—They use tin for tinning their copper pots, and I believe for other purposes.

As those articles are now in common use among the natives of India, would not the greater wealth of those natives occasion a greater demand for the articles in question?—I believe that would occasion some increase of the demand, that those who have not a copper pot just now would buy one; but I do not apprehend that those natives, who now have a sufficient stock of copper pots for their domestic purposes, would take any more.—I do not know that there would be any considerable increase of demand for iron; they have abundance of iron, and I believe very cheap.

Is it within your knowledge, or have you ever heard, that in Bombay in particular there is not a single native of eminence who does not use European carriages; that many natives have an establishment of six or eight carriages, and several of those superb equipages?—I have not heard particularly what equipages are used by the principal native inhabitants of Bombay, but I believe that they are chiefly Parsees, not Hindoos.

Have you ever heard that there is not a native of eminence in Bombay, whether Parsee, Mahomedan, or Hindoo, that has not a house superbly furnished with European furniture?—No, I cannot say that ever I have heard of the particular kind of house in which the principal natives of Bombay reside.

Are not the finer, and some of the more elegant manufactures of Britain, also in demand among the richer natives; elegant guns, for example, pistols, watches, and articles of that description?—I believe that among a very few of the richer natives, such articles as pistols and guns are sometimes in demand, but very seldom; I believe they rather expect them as presents than as articles to be purchased.—I believe they are pleased with them as presents.

If you were to be informed from good authority of commissions being actually sent to England by natives for those articles, for their own use, would you be induced to believe that the consumption of those articles might become more general, if the means of the natives admitted of their being purchased?—I should sup-

pose that if the natives sent commissions to England for the purchase of those articles, and afterwards repeated their commissions occasionally, that the consumption would be extended; but I believe it frequently happens that they give a commission for articles, and do not repeat it a second time after having seen them.

In any of the countries which you have visited, have you ever seen Norwich shawls in use among the natives, or do you know, or have you ever heard, whether they are admired and used by natives in other parts of India?—I have never seen such shawls in use among the natives: but from my own observation of the taste of the natives, I have often thought that they would be an article more likely to find a sale in India, than most of the European articles that go there.

You have represented the habits and manners of the native Indians to be very much fixed, and little prone to change; have you ever contemplated the effect of long established despotism, in necessarily producing such a state of manners in every society?—I believe that there has been long established despotism amongst most of the nations of Asia; but that their manners have not been equally fixed as those of the Hindoos.—I think that those habits and manners, being of so fixed a nature, are less owing to the despotism of their government, than to their own civil institutions.—The nature of Indian governments, in general, is that of a pure despotism, but usually mildly administered.—The ancient governments in India, in my opinion, have very little resemblance to the former feudal institutions of Europe.

Have you ever contemplated the effects of commerce in the western world, the share it has had in oversetting or softening the despotisms, and changing the established manners of Europe, and in improving and enlightening the state of European society generally?—I have seen and observed that the effect of commerce has been that of very greatly tending to the enlightening of most of the nations of Europe.

Have not those blessings and improvements been established in Europe, in very many cases, in despite of strong local and national prejudices; and even in despite of the most strenuous efforts of human power to oppose them?—I believe that they have.—If the manners and customs of the Indians are to be changed, I think it likely that they will be changed by commerce; but commerce does not seem to have produced much effect upon them.

Do you think that there is any thing in the natural disposition, passions, or prejudices of the native Indians, that would lead them permanently to resist the silent operation of causes, which would thus multiply to them the blessings of life, and which have been productive of effects as irresistible as beneficial in other countries, and among other classes of human society?—I do not imagine it would lead them to resist the operation of such causes permanently; but that it would be very long before any change was effected.

Have you ever heard the commercial character and proceedings of the Company talked of by those natives, who either dared or had confidence enough in you to speak on the subject, in terms of complaint or disrespect?—I never heard the commercial character of the Company talked of by any natives except with respect.

The Chairman reported progress, and asked leave to sit again.

Tregony Election — Proceedings against Thomas Croggon.] Lord *Clive* moved, that the Resolution which upon the 9th of March last was reported from the Select Committee appointed to try and determine the merits of the election for Tregony, might be read; and the same was read, as follows: "Resolved, That it appears to this Committee, that Thomas Croggon, currier, of Truro, did endeavour to procure the return of two persons to serve in parliament for the borough of Tregony, contrary to the provisions of an Act passed in the 49th of his present Majesty, ch. 118." He then moved, "That Thomas Croggon, currier, of Truro, did openly and corruptly endeavour to procure the return of two persons to serve in parliament for the borough of Tregony, by means contrary to the right and freedom of election, and contrary to the laws and constitution of this realm." If this Resolution was agreed to, his lordship said he should move, that the Attorney General be directed to prosecute Croggon for the said offence:

The first Resolution was unanimously agreed to; but on putting the second,

Mr. *Rose* suggested, that it would be the better way to have him brought to the bar, in the first instance, to offer what defence he might judge proper, and that the House might afterwards deal with him as they should think fit. He doubted much

whether the evidence before the Committee would be sufficient to obtain a conviction in a court of law.

The *Speaker* observed, that it was always customary for the House to give so far credit to the Report of its Committee as not to allow the person reported against to come to their bar, to make a defence, as if to a fresh charge. It was the custom, either to commit the person to Newgate, or to the custody of the Serjeant at Arms at once, if they intended to take the matter into their own hands.

Mr. *Bankes* proposed, that Thomas Croggon should be committed to Newgate.

Mr. *Wynn* had no doubt but that the offence committed was a misdemeanour, and that the evidence would be fully sufficient to have him convicted of it in a court of law. His own letter offering to procure the return for a sum of money, was evidence of a misdemeanour as complete as the case of Hines to the duke of Grafton, or the tin-man to Mr. Addington. He thought that it would be better to leave it to the Attorney-General to prosecute.

After some further conversation, on the suggestion of Mr. Bankes, it was resolved, "That the said Thomas Croggon be for his said offence taken into the custody of the Serjeant at Arms."

MAYNOOTH COLLEGE.] Mr. *Ryder* in pursuance of his notice, moved, "That there be laid before this House, copy of the course of Instructions and Lectures in Divinity, dogmatical and moral, delivered at the royal college at Maynooth in the year 1812,"

Mr. *W. Fitzgerald* was sure the professors of that college were not only willing, but anxious to lay such a copy before the House.

Sir *John Newport* contended that a compliance with the motion would only cause the table of the House to be encumbered with an unwieldy volume and lists of theological lectures. He had no objection that the private curiosity of the right hon. gentleman should be gratified, although he thought that he might have had an opportunity to do this while he had filled the office of one of his Majesty's secretaries of state, but he supposed that then the right hon. gentleman was too much engaged in digesting the Nightly Watch Bill. He objected to the motion, because it would make the House travel out of its usual course.

Mr. *Peel* thought that the right hon. baronet, who had often occasion to defend the tenets of the Roman Catholics, would have been happy to have had an opportunity of acceding to a motion by which their tenets might be promulgated and examined.

Mr. *Wynn* remarked, that the right hon. mover might have as well added, that copies should be required of all the sermons preached by Roman Catholic priests. If, however, only one member wished for the papers, it was sufficient reason why the motion should be agreed to.

Mr. *Bathurst* observed, that as the college was maintained by the state, and was for the education of youth in a religion which was not that of the state, the House had surely a right to know the nature of the doctrines taught in that college. The hon. gentleman who had been pleased to observe that it would be as well to move for all sermons preached by Roman Catholic priests, forgot that there was not any analogy between the doctrines taught in an institution supported by government, and the detached sermons of individual preachers.

Lord *Castlereagh* trusted that what was wanted would not be so voluminous as some persons seemed to imagine.

Mr. *Whitbread* said, that if the House were told, that because the college of Maynooth was supported by government, therefore they had a right to know what the professors of the college taught and preached, it might as well be said that because government paid for the support of the church of England, it had a right to know all that its ministers taught and preached. He took the motion as it was given, and supposed that it was meant the whole lectures delivered in the college: really it was more ludicrous than irritating, to have a motion made for the production of a mass so useless and so unwieldy. He wished the right hon. mover would alter his motion, so as to put the college to less trouble, and the House to less expence.

Mr. *Abercromby* opposed the motion, in the shape in which it then was.

Mr. *Whitbread* observed, that the motion was also unjust, because it required professors to furnish the House with matter which it might be their intention to give to the world in the shape of a book.

Mr. *Ryder* was inclined to alter the nature of his motion, and to specify particularly the lectures upon divinity, dogmatical and moral.

Lord *Desart* supported the motion in its original shape.

Lord *Castlereagh* thought that the object in view would be best accomplished by the motion as originally worded; and that the nature of the motion was such that it would meet with the approbation of all the friends of the Roman Catholics. He objected to calling for particular lectures; the learned body would give the documents to the House in the most acceptable shape.

Mr. *Whitbread* proposed, as an amendment, that the motion should be for the heads of the course of lectures.

Colonel *Barry* could not agree to this amendment, because the House did not want the heads of the lectures, but their substance.

After some further debate, the original motion was carried.

Irish Miscellaneous Services.] The Report of the Committee of Supply being brought up. On the resolution respecting the Board of Works being read,

Sir *John Newport* said, that if the vote had come before the House at an earlier hour of the evening, he should have opposed it. This vote was directly in contravention of the agreement respecting the Irish civil list, of which the inviolability had been so strongly urged, but which had constantly been departed from. The sum of 30,000*l.* the saving from the civil list, had been handed over to the privy purse, while this expence was defrayed by parliament. The inviolability of this act should not be urged therefore against a reduction of the pension list.

Mr. *Fitzgerald* said, that in the King's letter on which the Act in question was founded, the sum in question was proposed in accordance to usage ever since the Act in question had been passed.

Mr. *Bankes* objected to the grant, which after some discussion between general Mathew, Mr. Fitzgerald, and Mr. Peel, was agreed to.

On the Resolution for the grant of 10,500*l.* for proclamations in Ireland being read,

Sir *J. Newport* rose to express his sentiments on this subject, in the course of the discussion of which on a former night he had been alluded to. When he came into office in the spring of 1806, he found the estimates prepared by his predecessor, and he did not think himself to blame under those circumstances in adopting them; but supposing himself to have been misled in the instance in question, he did not think it right that any one who had adopted a measure while in office should be prevented from profiting by ulterior information. If he had been ill-advised on the occasion in question, he should nevertheless now come forward to oppose this grant, which had a pernicious influence on the Irish press. From the Press, one of the papers encouraged by a share of this annual vote, the infamous fabrication against the Catholics, which had excited such indignation, had issued.

General *Mathew* objected to the vote, on account of the influence exercised by the money thus granted over the Irish press. In one instance, when the editor of the Clonmel Herald had voted in favour of him (general Mathew) and his colleague, Mr. Prittie, in the election of 1812, the proclamations were withdrawn from that paper, and the goods of the proprietor sold to satisfy the demands of the government, though the most respectable security in the county was offered for its payment. To the Dublin Correspondent 400*l.* per annum was paid, and the Kilkenny paper having inserted some articles in favour of the people, the government desired the proprietor to send in his quarterly account, which effectually prevented the insertion of all such articles.

Mr. *Fitzgerald* denied the fact concerning the Clonmel Herald. When he came into office he found that paper among others a year and a half in arrear for the advertisement duty, and had ordered the commissioner to secure the immediate payment. He never knew the editor was a voter for Tipperary. (Here general Mathew said across the House "during the general election.") If any man dared to deny what he had stated as the fact, even the walls of parliament should not protect him. As to what had been said by the right hon. baronet, the fact of the vote having been proposed during his administration, was he should have thought a bar to his objecting to it in the present case.

General *Mathew* noticed what had fallen from the last speaker in strong terms. He would not repeat the words of the right hon. gentleman. The right hon. gentleman had spoken within, he (general Mathew) would speak without the walls of parliament.

Lord *Castlereagh* was satisfied the hon. general did not mean seriously to impute

a deliberate untruth to his right hon. friend. He hoped therefore he would have no objection to state what had fallen from him to have proceeded from misconception, and he trusted the business would go no further.

Mr. *Fitzgerald*, if he felt that in the warmth of debate he had been betrayed into any improper expression, would not be ashamed to retract; on the contrary, he should think such retractation most honourable. Having been charged with acts of gross corruption, he had repelled the accusation by such a statement as he had thought would have been satisfactory to the hon. general himself. Contrary to all parliamentary usage, a doubt had been thrown on this his vindication, and he had then said that if it was imputed to him that he denied what he had done, or done what he disavowed, not even the walls of parliament would restrain his feelings. He left it to the House to say whether or not he was justified, but till the expression which had called forth that which had fallen from him was retracted, he could not retract what he had advanced.

Lord *Castlereagh* said, it had appeared to his right hon. friend that a doubt was thrown upon what he had offered by the hon. general. This, as the hon. general could have no wish to impute an untruth to the right hon. gentleman, he thought he could have no difficulty in disavowing it.

Sir *H. Parnell* offered a few conciliatory observations.

General *Mathew* said, what he had stated he had stated on the authority of a letter which he had in his pocket; the writer of the letter was ready to come forward to prove what he therein advanced. He had accused the government of exercising undue, improper, and corrupt influence. Whether the right hon. gentleman had a right to take it up, it was not for him to say. He had preferred the charge against the government, and he would stand by it.

The *Speaker* said, after such words had been used, it was the duty of the House to interfere. The course to be pursued in such cases was distinctly marked out. It was for the House to require of the parties a promise to proceed no further. He therefore felt it his duty to call on the right hon. gentleman and the hon. general to pledge themselves that they would carry this business no further.

Mr. *Fitzgerald* repeated, that he should be willing to retract any indiscreet expression which might have escaped from him. The expression, however, which had given rise to this conversation, was not retracted, and till that was disavowed there was no alternative; till then not even the high displeasure of that assembly should induce him to retract what he had said.

The *Speaker* said the rules of that House were to be held paramount to every personal feeling. What arose there must end there. He was therefore convinced that neither of the parties would, because neither ought to refuse to give that pledge which the House had a right to require. He then called upon Mr. Fitzgerald.

Mr. *Fitzgerald* was ready to set any example that the House might be entitled to expect from him. He had never said any step would be originated on his part which was inconsistent with the forms of the House.

Mr. *R. Peel* hoped the hon. general would feel it incumbent on him to retract the expression he had used, as he could have no wish to impute an untruth to his right hon. friend.

General *Mathew* expressed himself willing to conform to the wishes of the House, if the word 'dare,' as used by the right hon. gentleman, was stated not to have been used in an offensive sense.

Lord *Castlereagh* said the word 'dare' had only been used hypothetically—if any one imputed a falsehood to the right hon. gentleman. The hon. general not meaning to do this, must feel the expression could not apply to him in an offensive sense.

General *Mathew* repeated, he had only meant the charge generally against the government.

Mr. *Fitzgerald*, as the hon. general had not meant to impute an untruth to him, had no hesitation in saying, not only that he hoped the whole business would be obliterated from recollection both in and out of the House, but that he should exceedingly lament if ever the subject was again revived.

General *Mathew* said he had only thought the language of the right hon. gentleman rather extraordinary, coming as it did from one with whom he had been in habits of private friendship.

The conversation here dropped; and the remaining Resolutions of the Report were agreed to without discussion.

HOUSE OF COMMONS.

Wednesday, April 14.

PETITION FROM THE MISSIONARY SOCIETY FOR PROMULGATING THE CHRISTIAN RELIGION IN INDIA.] Mr. Whitbread presented a Petition from the treasurer, secretaries, directors, and members of a certain voluntary society, known by the name of the Missionary Society, instituted in 1795, whose sole object is to spread among heathen and other unenlightened nations, the knowledge of the Christian religion, setting forth,

"That the inhabitants of the populous regions in India, which form an important portion of the British empire, being involved in the most deplorable state of moral darkness, and under the influence of the most abominable and degrading superstitions, have a pre-eminent claim on the compassionate feelings and benevolent services of British Christians; and that this sympathetic disposition has been powerfully felt throughout the kingdom, and plans have been formed, and adequate instruments and funds provided, for the purpose of extending the knowledge of the Christian religion in India; and that the charters which have been granted to the East India Company have provided, that every person desirous of proceeding to and residing in that country, should previously obtain a license for that purpose from the directors of that Company; and that, although this regulation may have been proper and necessary for commercial and political purposes, yet the petitioners humbly conceive that it was not intended to impede the progress of Christianity, or place under the controul of the directors a subject so intimately connected with the moral and intellectual condition of man and his final destiny; and that this power, so vested in the Company, has unhappily been the occasion of obstructing, in a great degree, the execution of those benevolent plans which had for their object the propagation of the Christian religion in India; and that the opinions which have been expressed, both as to the impracticability of attaining this object, and the danger of civil commotion in attempting it, are regarded by the petitioners as founded either in prejudice or misapprehension, and are demonstrated to be erroneous by the evidence of facts; and that the Missionary Society, through the kindness of the executive government, which they have on all occasions experienced and most gratefully acknowledge, have for several years past had missionary stations in the colonies of the Cape of Good Hope, Demerara, Trinidad, Tobago, and also on the continent of India, and they are willing to appeal to the governors presiding over them as to the character and proceedings of their missionaries, and as to the conduct of those who attend on their instructions; and that the missionaries sent out by the petitioners, desirous only of protection, and not seeking to be invested with civil authority, will not have the power, any more than the inclination, to promote Christianity by means of coercion, it would, moreover, be inconsistent with their principles, as also with their success, which requires a peaceful and not a disturbed state of society; and that, in the propagation of Christianity in India, their missionaries are instructed not to excite the prejudices of the natives by declamations against their superstitions, but to rely for their success upon the divine blessing attending a candid statement of the evidences which sustain the Christian religion, of the sacred doctrines, promises, and precepts of which it principally consists, and on their exemplary and blameless lives, attended by deeds of kindness and good-will to the natives; and that the petitioners are not merely willing, but very desirous, that the government both at home and in India should be fully acquainted both with their principles and their measures, by which it will appear that the missionaries receive full instruction on the great Christian principles which form good and peaceable subjects, and useful members of civil society; and that the petitioners, being most firmly attached to the constitution of this country, and ardently desirous of its true prosperity, dignity, and perpetuity, and being convinced that the stability and glory of Christian nations depend on the practice of Christian duties, are conscious that, in endeavouring to diffuse the principles of Christianity to the utmost extent of the British dominions and influence, they are acting on the purest principles of patriotism, and rendering the most important services to their country; and that, in conformity with these views, the petitioners receive the highest satisfaction from the Resolution of the House, passed in the year 1793, viz. "That it is the peculiar and bounden duty of the British legislature to promote, by all just and prudent means, the interests and happi-

ness of the inhabitants of the British dominions in India; and that, for these ends, such measures ought to be adopted as may gradually tend to their advancement in useful knowledge, and to their religious and moral improvement;" and therefore they humbly hope, and earnestly intreat the House, that, in the charter intended to be granted to the East India Company, such provisions may be made as may secure the admission of Christian ministers and missionaries into India, and their protection there, so long as they shall act agreeably to the laws and to the duties of good and peaceable subjects."

In moving that the Petition do lie on the table, Mr. Whitbread begged to be understood as giving no opinion upon the subject.

Thomas Croggon committed to Newgate.] The Serjeant at Arms informed the House, that Thomas Croggon had been taken into his custody, pursuant to their order of yesterday. The Resolution of yesterday was then read, "That Thomas Croggon, currier, of Truro, did openly and corruptly endeavour to procure the return of two persons to serve in parliament for the borough of Tregony, by means contrary to the right and freedom of election, and contrary to the laws and constitution of this realm."

The *Speaker* observed, that, before the House proceeded any further, he thought it right to inform them, that the Serjeant was not in possession of any apartments suited to any thing more than a temporary custody. The House would, therefore, see whether a person of infirm health (such as the prisoner was represented to be) would not be likely to meet better accommodation in his Majesty's gaol of Newgate.

Lord *Clive* then moved, "that Thomas Croggon be committed to his Majesty's gaol of Newgate."

Mr. *Protheroe* objected to the mode of proceeding adopted by the noble lord, which he thought to be an unnecessary interference with the province of the committee appointed to try the merits of the Tregony election. It had been stated with great force and effect, that the House should not travel out of the report of the committees appointed on such occasions.

Mr. *Wynn* said, that they were not trying a question of guilt or innocence. The only point for them to consider was, that an offence against the privileges of the House had been committed by the prisoner, and not against the act, which would be punished by a legal proceeding. If the prisoner was in an infirm state of health, that circumstance should be proved at the bar by a medical person.

Mr. *Cochrane Johnstone* said, that Croggon had been deranged; that he was now attended by four keepers; and that his life was in danger. He therefore resisted his commitment to Newgate.

The question was then put, and carried.

Minutes of Evidence taken before the Committee of the whole House of Commons on the East India Company's Affairs (*Continued.*)] The House having again resolved itself into a Committee of the whole House, to take into further consideration the Affairs of the East India Company, Mr. Lushington in the chair,

Colonel Thomas Munro was again called in, and examined by the Committee. The following are the principal points of his evidence:

Do you know what aggregate amount of land revenue is taken in the Madras districts under the permanent zemindary or mootidary settlement, and what was the aggregate amount previous to its introduction?—I do not know whether this amount applies to the proportion taken by the government, or the amount of the whole revenue.

To the amount of the whole revenue, in both cases?—I do not exactly recollect the amount of the revenue, in both cases, or in either case; but I believe that it was not much less after the settlement than it was before; government, in their own share, founded upon taking half the produce, relinquished in favour of the zemindar or farmer, I think, about 15 per cent. —From the government share of the produce, not of the gross produce.

Can you state when this permanent settlement was introduced at Madras, what was the proportion of produce secured to the ryot?—I cannot, but I believe it was from one half to two-thirds of the produce.

Do you understand that the situation of the ryot at Madras was at all bettered by the introduction of the permanent settlement?—In all those districts with which I am acquainted at Madras, into which the permanent settlement was introduced, I believe the condition of the ryot was improved, because his rent was not increased; in many places it was lowered, and it was likewise more certain.

Can the zemindar or mootidar, in your opinion, accumulate any considerable degree of wealth under the system described, and with the small share of the produce which you say has been apportioned to the zemindar, except when he may be possessed of an extensive estate? —Not unless he is possessed of an extensive estate; but in cases where he is not only zemindar, but likewise himself the farmer, he may in that case certainly acquire considerable property.—I believe the greater part of the mootidars under the Madras government are mootidars and ryots, they were ryots before they became mootidars, and continued so afterwards.

Are the mootidaries under the Madras government, extensive or limited?—They are extensive in some districts; but I believe in those that were last settled, the average was from 3 to 5,000 pagodas, or from 1 to 2,000*l.* annual rent.

Is not the possession of extensive zemindaries, under the existing circumstances, manners and dispositions of the natives of India, dangerous to the public tranquillity?—Extensive zemindaries under the management of a military chief are certainly dangerous to the tranquillity of the government; but I imagine that in time all those zemindaries must break up, because as there is no right of primogeniture, the zemindaries will be divided among all the sons of the family.

Is it possible for the courts of justice now constituted, effectually to restrain the excesses or oppressions of those great zemindars?—Not of all the great zemindars, but of the greater part of them.

Does it appear to you probable, that under the existing poverty of the ryots of India, and consequent limited demand for produce, the cultivation of waste lands can be carried to any considerable extent? —I have no doubt but that, under the present circumstances of the ryots, if the demand of government is limited, the cultivation of waste land may be carried to a very great extent.

Has a modification of those high rates of revenue which have been alluded to, or lowering of the land-tax, been followed by an immediate extension of the agriculture of the country, and improvement in the condition of the people?—I can state from my own knowledge, that it has always been attended with such effects.

Are not the districts into which the zemindary or mootidary settlement has been introduced, generally speaking, considered to be poorer and in a more backward state than those districts which have had the benefit of the ryotwar settlement?—I do not know that this is generally the case among the districts permanently settled; I believe that in some of them the rent has been so low, that they are in a better state than the ryotwar districts; in the greater part, however, I believe that the reverse is the case.

Whilst this poverty exists generally, is it possible, in your opinion, to extend very materially the commercial intercourse between Great Britain and India?—I do not suppose that the commercial intercourse between Great Britain and India, can be very considerably extended, but I do not think that the poverty of the ryots is the chief cause which prevents it; I think that that poverty is every day diminishing, and under a long peace and a settled government, that it will be less felt every year.

Are not the natural habits and dispositions of the people of India such as would lead them to engage with great zeal and ardour as well in commercial as in other pursuits, were the means of gain or advantage open to them?—The people of India are as much a nation of shopkeepers as we are ourselves, they never lose sight of the shop, they carry it into all their concerns religious and civil; all their holy places and resorts for pilgrims, are so many fairs for the sale of goods of every kind; religion and trade are in India sister arts, the one is seldom found in any large assembly without the society of the other: it is this trading disposition of the natives, which induces me to think it impossible that any European traders can long remain in the interior of India, and that they must sooner or later all be driven to the coast; what the European trader eats and drinks in one month, would make a very decent mercantile profit for the Hindoo for twelve; they do not therefore meet upon equal terms, it is like two persons purchasing in the same market, the one paying a high duty, the other paying none; the extra duty paid by the European is all the difference between his own mode of living and that of the Hindoo, it is impossible therefore that he can long carry on the competition upon such an unequal footing; he may for a time with a large capital carry on some new manufacture, or improve some old one, such as indigo or sugar; the Hindoo will wait till he sees the success which follows the undertaking;

if it is likely to be successful and to be permanent, he will engage in it, and the European must quit the field: there can be no doubt, I think, that this cause will in time operate so as to force all Europeans to the sea coast, and I can have little doubt but that hereafter, when the Hindoos come to correspond directly with the merchants in England, that many of the agents now settled upon the coast will from the same cause, the superior economy and diligence of the Hindoo, be obliged to leave India; I do not however think that because those merchants cannot maintain their ground in the interior, that it is not necessary still to protect the natives from Europeans by government granting licences, for this country is still populous enough, and full enough of adventurers, to furnish a few hundreds to go out every year to try their fortune in India.

Having stated that the great mass of the natives of India are contented with the British government; how do you account for the disposition of the Musselmen to put down the English and that of the Hindoos to put down both, which you have stated in such decided terms?—I believe that in the answer to the former question in speaking of the content of the natives, I spoke only of the middling and lower classes, I excepted the higher order of men who had formerly been employed in great situations under the governments; those men, I conceive, would be ready to introduce any government that would enable them to resume their former situations, and that even if their own governments were re-established, another set of men of the same religion would be found ready to overthrow them, in order to take their places.

You last night spoke of restricting the private ships going from this country to India, to the three presidencies, for the sale of their outward and purchase of their returning cargoes; would it not be attended with a very serious loss, to a ship proceeding from hence to Bombay, to be obliged to send for pepper to the Malabar coast, or to purchase that article in Bombay, when, by touching on her way to England at the ports on the Malabar coast of Calicut and Anjengo, or others, to which the Company's ships proceed, they might receive that pepper on board without the risk and expence of conveyance to the presidency?—I have no doubt but there would be a considerable loss, but still I think that that commercial loss is not to be put into competition with the political question of the tranquillity of the country: in my answer last night I think I excepted those ports where there were European garrisons and magistrates to preserve the peace, and if there are any such at Calicut, I do not apprehend any danger from vessels touching there.

You have mentioned that the export trade from India might be greatly increased, particularly in the article of cotton; might not hemp also be raised in large quantities and of the best quality, particularly in the Concan and Salsette?—From all the information I have acquired, I believe that hemp might be raised in considerable quantity, both in Concan and Salsette.

Might not coire, for cables and cordage, become an advantageous article of commerce from India to this country?—There is plenty of the tree on the Malabar coast, from which the coire is produced; but I do not know how far the commerce might be advantageous; I can only speak of the produce of the article, what the profit would be, I cannot say.—I have understood that in many cases it is preferred to European cordage, on account of its superior elasticity and lightness.—I have heard often of ships riding out very strong gales with coire cables.—I have heard that a coire cable is cheaper and that it lasts longer than an European one; but the relative prices of the two I do not know exactly.

In proportion as the native population of India may, in consequence of their increased habits with the British increased and increasing population, depart from that character of submission and patience with which they bowed to Asiatic despotism, what effect do you imagine that change may have on the tranquillity and security of the British empire in India?—I apprehend that any change in the manners of the people, which should make them more intractable than they now are, will make it more difficult to maintain the authority of the government.

William Roe, esq. one of the chairmen of the Board of Customs, was then called and examined, at length, by Mr. Adam, and by the Committee, as to the probable effect of throwing open the India trade, with regard to smuggling. He gave in evidence, that there was much less facility for smuggling in vessels arriving from India to the port of London, than if they

were allowed to enter the out-ports. A great alteration must take place in the establishments at the out-ports, before they could be on an equality with the metropolis in the prevention of smuggling. It was also more difficult to carry on smuggling in the vessels at present employed by the East India Company, than in such ships as would be allowed under the proposed alterations.

When Mr. Roe's examination was concluded, the Chairman reported progress, and asked leave to sit again.

A SELECT COMMITTEE APPOINTED ON THE EAST INDIA COMPANY'S AFFAIRS.] The House resumed the adjourned debate upon the motion made yesterday, "That in order to facilitate the progress of the Committee of the whole House on the affairs of the East India Company, in the matters referred to them, a Select Committee be appointed for the purpose of taking the examination of such witnesses as shall be ordered by the House to attend the said Committee of the whole House, and to report the minutes of such examination, from time to time, to the House." And a Committee was appointed accordingly, with power to send for persons, papers and records; and all who come to the Committee are to have voices: five to be the quorum; and the Committee to have leave to sit notwithstanding any adjournment of the House.

On the 15th both Houses adjourned to the 27th instant.

MINUTES OF EVIDENCE TAKEN BEFORE THE SELECT COMMITTEE OF THE HOUSE OF COMMONS ON THE EAST INDIA COMPANY'S AFFAIRS.] The Select Committee met on the 15th of April, and continued their sittings notwithstanding the adjournment of the House. The following will be found to be a correct Abstract of all the material Examinations:

April 15.

The Right Hon. John Sullivan, in the chair.

Colonel MUNRO was called in, and examined by the Committee as follows:

The Committee understand you have a wish to explain some part of the evidence you gave yesterday before the Committee of the whole House?—I wish to give a general explanation with respect to the effect my evidence may have produced. In the course of it I stated the simplicity of the mode of life among the Hindoos, and it may be inferred from that, that the Hindoos, scarcely expending any thing upon their own subsistence, must have a greater overplus of wealth to appropriate to the purchase of European commodities. There are causes which prevent the accumulation of wealth among Hindoos, that seem to be peculiar to that country; one of them is, the law of inheritance to property among the Hindoos: by this law all property is divided equally among all the sons; after such division, the property still remains in common; those sons, supposing them to be four or five, still remain together under the same roof; it is a kind of copartnership. Among the poor class it is often dissolved in one or two years, but among all the trading and mercantile classes, it frequently continues 10, 15, or even 50 years; it is not necessary to the existence of this co-partnership that they should remain together under the same roof, or even in the same country, they may go out of it and pursue different occupations, some may be bankrupt, some may be successful, until a formal dissolution, by which each member gives his acquittance to the other, and takes his share, the co-partnership is not dissolved, so that it frequently happens, that in a family of five brothers, one who has acquired a large property is obliged, after a period of 20 or 30 years, to divide it equally among the other four brothers, who are beggars; if the division does not take place during the life of the father, it is continued to the son, and even to the grandson. I have known instances of it after a period of 40 and even of 50 years. This cause I apprehend, though it contributes to place all the members of an Hindoo family in some degree above property, likewise tends to prevent the accumulation of such wealth in any one person, as to leave him the means of making large purchases of any foreign commodities. Even when the Hindoo has by a long life of successful industry acquired a competency, he has many ways of expending his property, without making any demand for European articles. Every Hindoo must marry: marriage is a most expensive ceremony amongst all Hindoos; even among the poorest the expence is never less than the amount of the savings of three, four, or five

years; among the richer class, the marriage expence is only measured by the extent of their fortunes; men frequently dissipate half their property in the course of a few days, in a marriage; in marriage the man is not always left to his own discretion in judging of the extent of the expence to which he should go, there are thousands of mendicants, brahmins and fakeers, who always know when a rich man is to be married, and who are as jealous of his honour in this respect as he can be himself; it is not left to his own will to limit his expence, they assemble in parties of three or four hundred, and live with him several days, during which he is obliged to distribute food, clothes, and sometimes money, to the whole party. I remember an instance myself, of a rich shopkeeper, who finding his uninvited visitors to come in greater numbers than he expected, made his escape from them, and came to me for protection; he was followed by a small party of the guests, who claimed right of being guests at his marriage; the shopkeeper said he was willing to entertain a proper number; he agreed, I think, to entertain about 300, the opposite party wanted 400, and I believe that there was a compromise for 350. Among the other sources of expence to the Hindoo, besides marriage, are charitable distributions to a great extent, on the anniversary of the death of several of his ancestors, his father, his mother, and several others; though he gives no dinners to his friends, he gives dances; the Hindoos are expensive in dancing women, in servants, in fine cloths, and in horses; all these articles are the produce of his own country, and not likely to be sent from our out-ports.

Upon the occasions you have described, have you observed any disposition towards the purchase of European articles, either for ornament or use?—None, except perhaps some very small lamps, or some pieces of broad cloth, among the most expensive. Nor those in any material degree.

In another part of my evidence, it may seem unaccountable, that while so large a demand is stated to exist among the population of Bombay for European articles, there should be so little on the continent of India: the reason of this I conceive to be, that Bombay can hardly be called an Hindoo community; it is a kind of modern Babel inhabited by foreigners from all parts of the globe, Arabs, Greeks, Armenians, Parsees, and almost every thing but Hindoos: if among all the vessels belonging to the port of London, from 200 tons and upwards, we should not find among all the owners the name of one Englishman, we should doubt whether London were an English city; among the owners of the vessels belonging to the port of Bombay, there is not the name of a single Hindoo; we have Munagee, and Soorabjee, Artaxerxes, and Bruce and Fawcett, certainly not Hindoo names. It is said that the Hindoo there likewise conforms to the European modes of life, followed by Parsees and Europeans; it is possible that he may in some instances do so to accommodate his European visitors, but I can have no doubt that after the ceremony of the visit is over, he retires from his lustre-hung-hall to his Hindoo family, in their own Hindoo house, sprinkled with cow dung and water. The influence of the society of Bombay upon the continent of India, can have no more effect than that of the island of Heligoland. Let any man take a boat at Bombay and land upon the nearest point upon the coast, the Mahratta village of Panwell, he will find every thing unchanged, every thing Hindoo. I am likewise convinced that the Hindoo of Bombay, notwithstanding the fascination of the example of Artaxerxes, and Bruce and Fawcett, is still a hardened Hindoo. If he comes pure from the fire of such a trial, with what hope can we expect to corrupt the great mass of the population of the continent of India? If any person leaving Madras goes to the nearest Hindoo village, not a mile into the country, he is as much removed from European manners and customs as if he were in the centre of Hindostan, and as if no European foot had ever touched the shores of India. In a former part of my evidence, in speaking of the Hindoo women, I mentioned the custom of their bathing in public at European stations: this statement may perhaps leave an unfavourable impression of their demeanour, but there is no man who has been in India but must maintain, that nothing can be more modest than their behaviour, and that they confide in it, on all occasions, for their protection from insult, and are seldom deceived. It would be no slight praise to the women of any nation, not even to the ladies of England, to have it said, that the correctness of their conduct was not inferior to that of the Brahmin women, and the Hindoo women of the higher classes.

Have the goodness to inform the Com-

mittee what you understand by a zemindar?—The zemindar seems to have different characters in different parts of India; in some parts of India he is a military chief having no land or farm of his own, a kind of petty tributary sovereign, who collects his rents from the ryots in the same manner as any other sovereign; in other parts of India, as he has been constituted by the permanent settlement, he is not so much a cultivator or a proprietor of the soil as a farmer of the land tax, and he receives from the land tax to government a certain portion, a tenth, sometimes more, sometimes less, for his own subsistence.

Have the goodness to explain to the Committee what you understand by a mootidar?—From what I have been able to observe with regard to the mootidars, they are in some places the ancient hereditary head farmers of the village, who formerly exercised the profession of farmers in cultivating land belonging to themselves, and acted in the capacity of collectors of the village rent to government; those mootidars now continue to cultivate their own farms, and likewise to receive, like the great zemindars, a portion of the government rent of the whole village, or villages (for there are sometimes three or four in one mootar) amounting to about 14 or 15 per cent. of the government share of the rent: other mootidars are men who never had any connection with the cultivation of the country, merchants and adventurers of all kinds, who have purchased what is called the mootidar's share, or 15 or 16 per cent. of the government share of the produce; they receive this share, and become answerable for the rents of the village, they are proprietors likewise of all the waste land in the village, but are not in general cultivators or farmers themselves.

Have the goodness to explain what you understand by the ryotwar system?—I shall state what I understand to be the principle of the ryotwar system, the details will perhaps be too extensive: the principle of the ryotwar system is, to fix an assessment upon the whole land of the country; this assessment is permanent; every ryot, who is likewise a cultivating proprietor of the land which he holds, is permitted to hold that land, at a fixed assessment, as long as he pleases; he holds it for ever, without any additional assessment; if he occupies any waste or additional land, he pays the assessment that is fixed upon that land, and no more, his rent undergoes no alteration.

Do you consider the intervention of a zemindar, or a mootidar, necessary for conducting the business of the revenue with the ryots?—I think the intervention of either of those characters is perfectly unnecessary, and that it is upon the whole to be lamented; and that the business of the collection of the revenue can best be conducted by the old office established in every Hindoo village, held by the person called the potail, who is the head farmer of the village, and cultivator himself, and likewise the hereditary collector and magistrate of the village under all Hindoo governments.

Have the goodness to inform the Committee what might have been the extent of the country, under the denomination of the ceded provinces, that was under your special management?—The whole of the ceded provinces were under my special management; no geographical survey had taken place during the period I was in India, but the number of acres by an agricultural survey was, I believe, as far as my memory serves me, something above twelve millions. About two millions of acres, was, I believe, in cultivation; but that twelve includes a great deal of land which never can be cultivated, rocks, jungle, &c.

Did you find it necessary to lower the rate of assessment when you took charge of those districts?—I found it necessary, in almost all instances, to lower the rent; in others, where it was already low, to keep it at that low rate for several years, to enable the country to recover from the ravages of war.—The gross amount of the rental, I think, in the first instance, was lowered in different proportions from 15 to 20 per cent. below what it had been the preceding year under the native government.—About one lack of pagodas was the amount of remission.

During the period of your administration, to what extent were you enabled to raise it?—I think from about 11 lacks of pagodas to 17½, or 18.—Part of that increase arose from raising the lands in cultivation to the usual rate of assessment under the Hindoo governments; the rest arose from extended cultivation, amounting, as far as I can recollect, to about one million of acres.

Have the goodness to state what you understand by a village in India?—A village in India does not apply to what is

commonly called a village in this country, a collection of houses; a village is a certain portion of country, generally from two to four square miles, the boundaries of which are unalterable; whatever cessions or transfers of country are made in the course of war from one power to another, the boundaries of the village remain permanent; the ryot considers the village as his country, he does not look to the province, or to the country at large, he considers the village as the little republic in which he resides, and lives are very often lost in struggles among neighbouring villages for a quarter of an acre of land, which never has been cultivated, nor ever can be cultivated, merely to include it within the boundary of one or the other village.

At present the distinction in the military services in India is between that of King's and Company's; do you think that the separation of the European from the native branch of the Company's army would increase the distinction and jealousy which have prevailed between the King's and Company's officers, as the distinction would then be between an European and native establishment, as well as between the Company's and King's services?—I am of opinion that such a separation would greatly tend to increase the jealousies and differences which have sometimes prevailed between the King's and Company's services; the present distinction is only between the King's and Company's army; the distinction then would be that between an European army and a native black army. The officers of the Company's service, by being excluded from the command of armies, seem to have been regarded as a kind of Indian Roman Catholics, and subjected to the disqualification without having undergone the ceremony of conversion; this disqualification, by the separation of the native from the European army, would be unavoidably extended, because, as the officers of the native army would sink in character, it would be the duty of government to exclude them, not only from the command of armies, but from the command of divisions and of stations, as they could fill them by officers of a higher character from the European branch. The officer of the Indian branch of the service, by exclusion from all those superior commands, from the emoluments of which alone he could have the means of revisiting Europe, would be deprived of all hope of returning to his native country; he would relinquish Europe, and consider India as his home. A native army commanded by officers who have no hope of ever returning to Europe, would be a most dangerous instrument for effecting the separation of our Indian possessions from the British empire. I do not speak of a Company's army, I think the case applicable to all armies under similar circumstances, and that had there never existed such a body as the East India Company, had the European and native Indian armies always belonged to the crown, yet had the crown made a complete separation between the Indian and European branch of its army, the consequences would have been the same; that Indian army would have become dangerous to the state.

Might not an European trader, not in the Company's service, be tempted to convey capital to India, for the purpose of carrying on a speculation in usurious contracts or loans?—I think there is no doubt that the European trader in such cases might be tempted, but the risk would be great; he could not recover in any court of law.——I am afraid I have not been able to give full answers to the questions put to me on such a variety of subjects; I have felt myself incompetent to give the answers I would wish to have done to all kind of points, embracing the quiet habits of the European traders in India, the civil wars of the Bengal indigo planters, the oppressions of the East India Company, and, in short, to questions comprehending almost every subject, from the coarse blanket of the Hindoo, to the feudal system: I have to thank the Committee for their indulgence, and to beg pardon for any omissions.—[The witness withdrew.]

April 22nd, 23rd and 26th.

In order to prove the facility which would be afforded, by the measure of opening the ports of Liverpool, Bristol and Hull, to the import trade from India, for smuggling teas into this country, Gloucester Wilson esq. one of the commissioners of the Customs, Robert Nicholas, esq. chairman of the Board of Commissioners of Excise, and John Vivian, solicitor to the Excise, were examined. From the evidence of these gentlemen it appeared:

1st, That, under the present system, the smuggling of East India and China articles is carried on to a very limited

amount; that neither the owners of the East India Company's ships, nor the Company themselves, lie under the slightest suspicion of being concerned in it, but that it is solely practised by a few of their inferior officers in their privileged investment, and that under the penalty of dismission from the service, if detected; that, with regard to the cargoes of the Company's ships, the revenue upon them is collected with the most perfect security, on the true value, and without expence. 2dly, That under the system proposed, all these circumstances will probably be reversed; that smuggling will be encreased, in the compound ratio of the number of the ports to be opened, of the number of additional and smaller vessels engaged in the trade, and the length of coasts and rivers at present unprotected by revenue establishments, which they will have to pass; that the owners of the ships and cargoes, as well as their captains and officers, will probably be engaged in illicit traffic, and the revenue on their commerce must be collected on uncertain or false measures of its value, and at a greatly increased expence.

The following Evidence of John Vivian, esq solicitor of the Excise, was confirmed and strengthened, more or less, by the testimony of every witness called from the several Revenue Boards.

John Vivian, esq. was called in and examined as follows:

Mr. *Jackson.*]—You are solicitor, I believe, to the Excise?—I am. I have been connected with the Excise 27 years.

Considering the extent of the trade and the present considerable rate of duties, has the smuggling of teas or of East India goods, upon the whole, taken place, to any considerable extent, within the last year, under the present system of conducting the East India and China trade?—I apprehend not to any very considerable extent; it has not come to our knowledge at least.

Do you consider it as great, in proportion to the quantities brought into legal consumption?—I should apprehend not; certainly the quantity of tea smuggled of late years, has by no means been so much as it formerly was.

Can you name any port which, in your judgment, would be as safe for the revenue as that of London, for the importation of East India and Chinese commodities?—I apprehend none.

Is not the amount of Excise duties payable on East India and Chinese articles to the public by the East India Company, collected, according to the present system, at a comparatively small expence, and with little trouble or risk to government in such collection?—I think it is, at much less expence certainly, than it would be in any other mode.

Is not, in fact, the expence and the risk perfectly trifling, compared with the magnitude of the object?—I think it is.

Can you say about the annual amount of the Excise duties paid by the East India Company to government?—I really do not recollect that; the duty on tea is stated to be about four millions a year, but all that will appear by the returns.

Do you attribute the great degree of safety which you have described, as to so large a sum, to the public and open mode of sale adopted by the East India Company?—I do; and their being of sufficient capital to put up the article at what they call an "upset price;" individual merchants must sometimes, I apprehend, be so pressed, that it may be advantageous to them even to sell their commodity at a loss, for whatever it will fetch; the East India Company's practice is never to sell the article that they put up, unless the bidding shall exceed that upset price, consequently the crown always gets the *ad valorem* duty upon the proper value of the article; if, for instance, a private merchant should find it convenient to sell his tea at 50 per cent loss, it is obvious that one half of the revenues would be lost, because the East India Company would never sell it but at a gain; I wish to suggest, that this answer applies only to the present mode in which the duty is laid at *ad valorem*; but if the duty should be imposed as a rative duty, then, from the circumstance of such alteration of the duty, my answer will not apply.

Looking to the publicity of their sales, the number of purchasers, foreign and British, together with the emulation of purchase, is it your opinion that the *bona fide* sale price is ascertained at those sales?—I apprehend there can be no doubt of it.

Do officers of the customs and excise attend at those sales, or in what manner does government ascertain their real and *bona fide* amount?—I can speak of the excise; the same act of parliament regulates both revenues; the officers attend the sales, and take an account of the prices:

on which the East India Company, at a certain time, settles the account and pays the excise 90 per cent. upon the sale prices; this applies only to tea.

Give your opinion, supposing the *ad valorem* duty to remain, and the public mode of sale exchanged for private sale at the out-ports, whether such a change would not extremely endanger the safety of the revenue?—I am of opinion it would: the real value certainly could not be ascertained then with the same precision that it is now; there would not, I apprehend, be the same competition of bidders from all parts of the continent and elsewhere, who do attend the Company's sales, which great number of bidders, added to the upset price, insure, I apprehend, the goods not selling below the real value and in consequence producing to government the full amount of its duty; should that mode of sale be varied by allowing individuals to sell at the out-ports, so far as respects the *ad valorem* duty, I am satisfied the full amount would not be obtained, because the goods might, upon many occasions, be sold at an inferior value; and also would be sold to fewer competitors for the purchase: the present Company's sale we know to be a *bonâ fide* transaction; but if it were to be intrusted to individuals, there would be no such security; an individual putting up his private property to sale might put in a fictitious purchaser, just as people do at auctions; and he might buy in the goods at one tenth part of their value; and by such a juggle, nine tenths of the duties would be lost; I do not know that the *ad valorem* duty is upon piece-goods; it is a customs duty; but this would apply to every article subject to an *ad valorem* duty.

Supposing a free trade to India and the whole of the islands in the Eastern seas, and that the smuggling of tea, was the object of the adventurer, in what way, in your opinion, would he proceed to get it into England, Scotland, or Ireland?—As he gets in all other smuggled goods; certainly there is nothing particular in tea; he would of course, I apprehend, import it from thence to some place of deposit in a neighbouring country, either Guernsey, Jersey, or more likely the neighbouring coast of France or Holland, whilst the present restriction remains on Guernsey and Jersey by the establishment of custom-houses, which took place a few years ago; he might also procure it through American ships, or other foreign ships coming upon the coast, very likely for purposes of general merchandize, bringing this as a bye adventure, which would be delivered out into boats, and smuggled directly on shore.

Supposing under the circumstances of a free trade, that smuggling should increase, would not a great proportion of it probably consist in the re-landing of such articles as are now prohibited by law in order to protect the British manufacturers, but are allowed to be re-exported, supposing a licence to export from every out-port?—Considering that there would be a greater number of ports from whence that exportation might take place than there is at present, it being at present but from one port, of course upon the principle that the import smuggling might be increased, the re-landing smuggling might be increased by increasing the number of ports, because there would be a greater number of objects to require the officers' attention.

Is it your opinion, that that description of fraud would be increased under such circumstances?—Undoubtedly, the same principle applies equally to both.

Supposing the same amount of East India and Chinese articles as is now imported by the Company in large ships, were to be imported by a great number of adventurers in ships as small as 350 tons burthen, what, in your opinion, would be the difference with regard to the safety of the revenue from such alteration of circumstances?—Any increase in the number of ships must of course be followed by a correspondent increase of danger of smuggling, because one ship or few ships are more easily superintended than the many; this is all independent of any provision that might be made hereafter for the increase of the number of officers.

Do you then think that under such circumstances, without a very great addition to the number of officers, even common safety to the revenue could be procured?—Certainly not, without a pretty considerable increase in the number of officers, and the number of revenue cruisers too.

Do you apprehend that such an open trade from India, without manifests, would be one of extreme peril to the revenue?—Excessive peril; that I apprehend must be the fundamental principle upon which the trade could be permitted at all.

Is it customary to have a duplicate of manifests sent from any other part of the world?—Yes, from all places in India for British ships, a sworn manifest would I

conceive then, become more necessary than it is at present; the Company must bring home all their goods to the port of London, because that is their domicil; and whatever smuggling may have been practised out of the Company's ships, I apprehend it has been practised by captains and officers of the ships; and not, in general, by the Company themselves: but that, perhaps, would be materially varied in the hands of individuals, because the individual merchants might themselves become the smugglers; and that with more convenience than a great company, which is not so fit an instrument for smuggling, their business being carried on through certain formalities, such as written orders, resolutions, &c. which must be delivered to their subordinate officers, so that a great number of persons must become acquainted with all their proceedings; whereas an individual can manage it by intrusting it to a very few only, perhaps only to the captain; another reason is, that a great company has not so cogent a motive to smuggle as an individual, because the affairs of a great company are conducted by a few; the profits, however, resulting from illicit trade, would not be confined to those few, but would be distributed among all the partners of that concern.

(Examined by the Committee.)

Are not you aware, that from the shoals on the Welsh coast, and the rocks and shoals upon the English, it is impossible for a ship of 350 tons burthen coming up the Bristol channel to approach either shore, till within a few miles of King Road, without imminent danger?—I do not know; I should think a ship of 350 tons burthen might navigate that channel, and smuggle as much as she chose; because it is not necessary for the ship itself to come into port or to come very near the coast, she puts out her goods into boats.

In the event of the trade to India being opened from the out-ports, the trade in tea being excluded, do you conceive that very great risk will not attach to vessels proceeding from India with tea on board, with an intention to land it in the manner you have described, taking the chance of meeting the vessel that is to convey the article of tea intended to be smuggled to a foreign depôt, it being supposed that the having tea on board will subject the vessel and cargo to confiscation?—There will undoubtedly be considerable risk, as there is in all smuggling transactions, but I apprehend the risk will not be so great as to deter many persons from running it.

If a person were disposed to smuggle, would it not be more advantageous to him, and therefore is he not more likely to enter into that transaction with a view to his own safety and advantage, in a neutral vessel than in a British ship?—I should think not, because it is hardly to be supposed that a vessel would be entirely freighted from that great distance with contraband goods, part of her cargo only will consist of the contraband article.

Would not the circumstance of the other part of the cargo being liable to confiscation be a matter which would therefore deter any person from engaging in such an adventure?—If I may judge from great experience, it would not.

In the event of a month's public notice in various newspapers for a sale taking place at Liverpool, in the article of tea, do you suppose it possible that that tea could, by any understanding among buyers, be disposed of fifty per cent. below its value, or to any considerable amount below its value?—I certainly think it might be disposed of below its value; and especially below the value which the article fetches under the present regulations, because the Company's sales take place at specific seasons of the year; and all the buyers upon the continent are as well acquainted with these times and seasons as the Company themselves, and send over their orders accordingly; whereas, in the other case, I suppose it would be intended to leave the time and place of sale at the option of the proprietor of the merchandize, and if so, I see no reason to doubt that it might be so contrived as to sell at a very considerable price below the real value; but that the thing would not fetch so much money as it does under the present regulation I think there can be no doubt.

Have you considered all the various modes of collecting duties, even when taken *ad valorem*?—It is impossible to say that I have done that, because I came here without any sort of preparation; I came to offer my genuine sentiments, thinking it better, without any preparation.

Then you have not considered any mode of levying *ad valorem* duty, unless by ascertaining the value of the commodity by public sale?—I have never turned my attention to it, but principles have certainly

occurred to my experience that will possibly enable me to answer that question: we are not without examples of that in the revenue, and I remember two remarkable instances; formerly the duty upon paper, instead of being a rative duty upon the pound as it is now, was an *ad valorem* duty; we never could agree upon what was the value of the thing, and by way of making the matter less difficult, it was said it should be according to the value at the next market town (the paper mills being generally out of towns), and when we came to that, we had the greatest possible contrariety of evidence, the officers and the witnesses produced by the defendant were frequently as wide as east from west. We had another remarkable instance in the case of callicoes about the year 1785, I think; Mr. Pitt was prevailed upon at last to repeal the duty entirely; it was a duty upon callicoes to be *ad valorem*, and the officers and the traders never could agree upon the value of the pieces. As we have failed in these two instances, I should despair of finding any criterion more efficacious, upon the present occasion, than those have been upon the past.

Do you not think there is considerable difference between a manufactured and an imported article?—Certainly not, in that respect, because it is a matter of opinion; in the cases that underwent my examination upon those *ad valorem* duties, I had no more doubt of the value of the thing, than I had of my own existence; and I am satisfied it was impossible the trader's account of the matter could be correct, but yet they did produce such a body of evidence upon all occasions, as bore us down in the crown's evidence, in nine cases out of ten.

Are you particularly acquainted with the river Humber?—No.

You are not therefore aware that there are very few landing places in the river Humber, even at high water?—I know nothing on the subject; but I never yet saw a river where a smuggler would not find opportunities of landing, in places where other persons would not land; perhaps the river Thames is as impracticable as any which can be found.

You are unacquainted with the shore, whether it is muddy or not?—I allude to muddy shores; the Thames furnishes a very strong instance of that sort.

Is not smuggling easier and more practicable from small vessels of 350 tons, than from large ships of from 800 to 900 tons, or China ships from 1,400 to 1,600 tons?—Certainly the smuggling from smaller ships is more easy than from larger ones, because the smaller ships can come into water where the larger ones can never approach.

Could any probable estimate be formed of the increased expences attending the collecting the revenue on the proposed changes in the Indian trade, in proportion to the expence of collecting the revenue in the same trade in its present mode of collection?—An estimate might undoubtedly be made; but the accuracy of that estimate perhaps might be very questionable.

There could be no doubt that it would be very considerably increased?—I apprehend it would be very considerably increased.

Supposing no alteration to be made in the present system, do you conceive that a considerable smuggling of tea would take place in a time of peace?—Not very materially; I see no reason why there should.

Do you consider that the circumstance of admitting private ships to the port of London, and to some of the out ports, tea being prohibited, as before described, under the severest penalties of the law, that that opening of the trade would produce a smuggling of tea in a very considerable degree?—I do; because I do not apprehend, speaking from past experience, that any penalties, however severe, are fully competent to the suppression of smuggling, where they have an opportunity of getting possession of the article at all; and the individuals, as I before stated, have a much greater motive for smuggling, and a greater facility of accomplishing it than great companies have; because the want of instrumentality is in the one case very great, and with respect to individuals, is always at hand; a merchant need do nothing perhaps but confide himself to the captain alone of his vessel, and therefore he may be under a temptation, which the Company is not.

In either case, the duties remaining the same, or being reduced as they are now by law to be reduced, do you think that the circumstance of admitting private British ships, under the restrictions before stated, to some of the out-ports, would add very considerably to the means afforded to the smugglers under the present system?—I do; because individual merchants, as well as their captains and officers, would be tempted to engage in

the smuggling, to which the Company have no temptation, of their own property.

How are individual merchants, natives, or foreigners, prevented under the present system?—No tea can be brought any where upon the coast on board any but an East India ship.

Are you aware that any ship but a British ship, of any burthen, may bring tea to any European or American port?—Other than a British port, undoubtedly; but the difference is this; I conceive, that ships will not in general come upon the neighbouring coast laded entirely with tea; but they must be ships coming into the neighbourhood of England, having on board other merchandize, and this only a part of the cargo; therefore I have not equal apprehensions of smuggling from foreigners that I have from British ships, returning home with lawful merchandize, smuggling such parts of their cargo as they can contrive to get out.

Why is it to be supposed British ships will come with these assorted cargoes, and not foreign ships?—A foreign ship, not bound to this country, will not be so likely to have tea on board as a ship that is returning home, unless it is entirely laden with that contraband cargo, which will not in general, I apprehend, be the case.

Do you recollect, that with respect to a foreign ship, a cargo of tea will not be illegal until the moment it is attempted to be smuggled?—I am aware of that; but it is an entire cargo, brought for an illicit purpose; that I am not so apprehensive of entire cargoes being brought by foreign vessels for the purpose of smuggling, as I am that ships belonging to England and returning home, will bring an assorted cargo and smuggle out a part of it; indeed, we find that to be the case at present, with respect to the smuggling of tea, for it is effected in this way; the ship is upon her return home with an import cargo; but a superabundant quantity of merchandize is taken on board for the illicit purpose of smuggling; the Company's officers, I believe, generally do this, not the Company themselves.

If a safe and convenient port, situate at the entrance of the British channel, which might have such legal quays and wharfs and storehouses, as are approved of by the boards of excise and customs, could be found, would not you consider the revenue more secure, than by proceeding with the ship up channel, liable to all such detentions as occur both in peace and war, by anchoring in the Downs, Margate-roads, and other situations, previous to her arrival at her port of delivery?—*Cæteris paribus*, I think it would; but I should not think a port, even at the extremity of the coast so safe (Falmouth we will suppose) for the revenue, should the trade be laid open, as I should conceive the port of London to be, should the trade remain with the Company, or any other great company who have no temptation, nor the means of smuggling out the cargo, always laying out of consideration the smuggling which may be effected by the ships officers of their own private adventures.

Do you consider the difference between a respectable merchant's house and the Company, as making the difference?—In the revenue I know very little of the respectability of merchants; we treat all merchants alike; I, certainly, according to my experience of merchants, should not think it safe to expose them to this temptation.

What ground have you for thinking that a merchant of the first respectability cannot so well resist the temptation as the persons who have the direction of the Company?—For that very principle upon which the tenor of my evidence is grounded; the affairs of a great company must always be conducted by a few persons; but the proprietors at large would participate in any profits resulting from the illicit trade, whereas individuals would put the whole of that profit into their own individual pockets; I consider that as the leading principle which pervades the whole of my testimony; and, in addition to that, as I before stated, a great company has not the means; they are less effectual instruments for smuggling than individuals are, because the illicit trade must be conducted, through an inconvenient system of organization, founded on written resolutions, written orders, &c. which must go through a great length of formality, and into the hands of a great number of persons, by which the scheme might become known, and expose the projectors to considerable hazard of discovery in the execution. These are the fundamental principles of the whole of my evidence.

What would you state as the difference between that part of the cargo which does not belong to the Company, and that which would belong to a merchant in a private ship?—No other difference than

this, that the person who does it is certainly liable to visitation from his employers; that is one reason that may operate perhaps, in some degree, as a check; whether it does or not, is impossible for me to say; I am afraid not so effectually as it ought; but with respect to any thing else, I see no material difference between the goods of that private individual, and the goods of an individual merchant.

Does not that constitute a great part of the smuggling now existing?—I believe it does; but my apprehension is, that in any other mode, not the private adventure but the cargo itself would become the subject of smuggling, which in the Company's ships I apprehend is not the case, for the reasons that I have before assigned: I beg to be understood, that I by no means apprehend that there ever has been a time when there has been no smuggling out of East India ships, or that the time ever can occur when there will be no smuggling out of East India ships; I consider it impossible to prevent it entirely; but if we preserve the cargo entire, the private adventures are not of so much consequence.

If a person were disposed to smuggle an entire cargo, could not such person, desirous of engaging in this adventure, employ a neutral rather than a British ship, with more safety and advantage to himself?—That depends upon circumstances; because he might possibly not have the same confidence in a neutral that he had in a British ship; the neutral might deceive him, and even run away with his cargo; but certainly if a man had confidence in a neutral, it would be more convenient to him to employ that neutral than a British ship, because some of the forfeitures that would attach upon a British ship would not attach upon a neutral, unless detected in the very act of smuggling, or of having smuggled; in which case she would be liable to seizure, notwithstanding her being a neutral.

Are you of opinion that any mode of collecting the revenue arising from the India and China trade can be devised, so simple in its execution, at so little expence, so little exposed to frauds, and so free from the objection of increasing cost, from the necessity of increasing water-guard and officers, as the mode in which that important business is now performed at the India-house in London?—I am very decidedly of opinion, that there cannot.

Are you aware that from the out-ports now, and in vessels of very small size, the exportation of goods liable to a very heavy duty, for home consumption, or upon which a very large drawback has been received, is now allowed?—I am aware of it; and in my opinion it exposes the revenue to so much risk, that nothing but the great accommodation afforded to the merchandize of the country could justify the measure.

Sir CHARLES WARRE MALET, Bart. was called in, and examined, in substance, as follows:

I have been 28 years in the Company's service.—I went to India in 1770, in the civil department; as a writer on the Bombay establishment.—Between 1770 and 1775, I made an excursion from Bombay, for the purpose of obtaining information, up the gulph of Persia; we touched at Muscat, Gombroon and Bushire, and from thence proceeded to Bussora, where the Company have an establishment; after that I visited Surat and Cambay.—I was, after that, appointed resident to the nabob of Cambay, a Mahomedan power in the gulph of Cambay, and resided there, I think, nearly ten years.—There were no other Europeans attached to the residency; I had occasional visitors, and during my residency, there was an English army came there to the assistance of Ragobah.—During my residence at Cambay I had been appointed Persian interpreter to the settlement of Surat, and in that capacity I occasionally resided there; I was likewise appointed to the council of Surat by the court of directors, but I did not take my seat in that capacity.—On being recalled from the residency of Cambay, I was appointed Persian interpreter to the government, and private secretary to the governor of Bombay.—Subsequently to that period, I was sent on a mission to the Siddee government of Jizzera Jessore, likewise called Dunda Rajpore.—I think it was in 1785 that the government-general, then under Mr. Hastings, applied to the government at Bombay for its acquiescence in my being sent minister plenipotentiary to the court of Poonah.—Subsequent to the treaty of Salbey with the Mahratta states, Madajee Scindiah had been, by one of the stipulations of that treaty, made the mediator of all intercourse between the English government and the Mahratta states: to conciliate his approbation of my mission, I was ordered to proceed from the western side of India, to wait upon Madajee Scindiah: I accordingly proceeded from Bom-

bay to Surat; from Surat I proceeded across the peninsula, and joined Madajee Scindiah, then in camp at Matura, between Delhi and Agra; and after having had audiences of him and the king, who was likewise in camp there at that time, Mr. James Anderson, who was resident with Scindiah, procured his approbation to my appointment, and I proceeded to Calcutta.—On my arrival at Calcutta, sir John M'Pherson was in the chair, Mr. Hastings having proceeded to Europe; and having received his instructions and directions, I proceeded from Calcutta to Bombay by sea, and from thence to Poonah.—I went there in 1786, and remained till 1797.

Mr. *Impey*.]—During so long a residence in so many different parts of India, had you not many opportunities of observing and studying the characters of the natives of India?—I certainly had.

Are you of opinion that they are a people peculiarly unchangeable in their manners, habits and opinions?—I think both Hindoos and Mahomedans are peculiarly attached to their own manners, habits and opinions.

What would be the consequence if Englishmen, unacquainted with the manners and languages of the natives, were permitted in any great numbers to go into, or reside in, the interior of the country of India?—I think from the great difference of the manners and customs of the natives of this country and the natives of that, there would be a probability of great confusion resulting from an indiscriminate intercourse with the people of India.—I do not see any possibility of the happiness and peace of the inhabitants of India being improved by such an indiscriminate intercourse; on the contrary, I think it is very likely that great disturbances might ensue, and consequently unhappiness result.—The parts of the country that I allude to are those under the native governments, and I presume there would be no adequate means of punishing, but by resorting to the power of the native governments, or to personal resistance.—I think that the manners of the people of India not only partake of the difference of character incidental to all individuals of all countries, but that they are greatly diversified by the classification of the natives of the country into different sects.—In the classifications of the natives, particularly Hindoos, to whom I allude, there are casts, whose hereditary practice it is to devote themselves to the lowest occupations of servitude; there is the commercial class; there are military tribes; there is a priestly tribe: all these are characterized by very striking and peculiar traits of manners; as for instance, those whose habits of life are servile, are extremely submissive; the commercial is industrious, thrifty, and likewise, I may say, extremely obsequious in his intercourse with mankind; the military tribes are generally high-minded and irritable; the brahmin has feelings of his sacerdotal character, and is particularly sensible with respect to any violation of that character.—I think it is very likely, from the difference of the manners of our countrymen from those of the natives of India, that they may unwarily and undesignedly be involved in violations of those observances which the people of India of those different classes may expect.—The touching of a brahmin by an European would involve the necessity of ablution; the passing near the place where they are cooking their victuals, and the shade of an European falling upon their culinary operations and their cookery, would certainly be looked upon as a pollution of the food.

What would be the consequence of that pollution?—Most likely throwing it away, and considerable anger on the part of the person who might be so inconvenienced.—I have known gentlemen who have been in the habit of residing in our own settlements, where the submissiveness of the natives in general prepares them to expect the same amongst the foreign powers, have found a very different reception on going amongst the natives under their own government; I have likewise known two instances, one of which was fatal; the first, of a gentleman at Poonah, who had recently arrived in the country, and having got the command of a regular corps in the Peishwa's service, was, on some rash conduct, on his part, towards the minister, who then commanded the army, on leaving the Durbar tent, shot on his way home; the other instance was of a woman, a Mrs. Hall, married I believe to an Englishman of that name; but she was certainly a French-woman, who had the nominal command of a corps in the Peishwa's service, and on occasion of some haughty treatment of some native, was imprisoned in a Hill-Fort, where she would probably have been put to death, had I not interfered in her behalf.

State what the differences are in the manners of the natives of Hindostan at the presidencies and in the interior of India?—The difference certainly is very great.—There is a difference in their general deportment; there is a more general submissiveness to Europeans; and I suppose they feel, that from the protection of our courts, they may go to a certain degree of submission, without particular bad consequences ultimately resulting; but that not being the case under the native governments, irritability once provoked may be attended with more dangerous consequences, than from the anger of a person who receives ill treatment under our own governments.—I certainly think that Europeans, before they become acquainted with the native character, are more in the habit of treating them with disrespect than afterwards.—I think that in a country where the mass of the population may probably be sixty millions; where the British force, including the native army, may amount to probably 150,000; where the European part of that force may not probably exceed 25,000; our power must mainly depend upon opinion; and in as far as the conciliation of that opinion must be requisite to our safety, I should think that putting it to a risk by adding to the dangers, an indiscriminate intercourse should certainly be avoided.—I think it not at all improbable, that in the event of an indiscriminate influx of Englishmen, which may probably be under some impressions not friendly to the constituted English authorities now in India, both in their conduct and in their language, they may evince symptoms that would be rather derogatory to the dignity of the government there established. I think it but too likely that the natives of that country, and the native powers of that country, seeing our own countrymen manifest a conduct of disrespect to the constituted authorities there existing, might be disposed to prosecute any evil dispositions that might be pre-existing among them; at the same time, I think it not unlikely that indisposition of the natives to our countrymen and to our government, may be engendered by the observance of such language and such conduct in the indiscriminate influx of Europeans.—I look upon the alliances that have been recently formed with the native powers, to have arisen out of the principle of coercion and ascendancy; and in as far as there may be in all governments a desire of regaining independence, I think it not improbable, that if power and opportunity served, they might be incited to take advantage of the indisposition previously engendered.

From your observation of the natives of Hindostan, do you think they have generally any want or any desire for the articles or manufactures of this country?—This question, I humbly conceive, divides itself into two parts; the first, with respect to the disposition of the native governments to encourage the introduction; and the second, with respect to the individual natives, as to their disposition to receive them. With respect to the first part of the question, if it is the pleasure of the Committee, I will read to them an extract of a letter which I had the honour to address to the governor general (lord Cornwallis) in 1788, particularly on the subject of the disposition of the government of the Peishwah to encourage an additional commercial intercourse: in the former part of the letter there is a general statement of the then existing state of our commerce with the Mahratta government, with tables annexed:—what I shall have the honour of submitting to the Committee, is the conclusion from the whole statement:—"In concluding this address, I shall endeavour, by a slight sketch of the genius of this government, as far as it relates to the subject, to meet the ultimate object of your lordship in council, of enabling you to form a judgment, how far the state of our commercial intercourse with it, as above described, is capable of improvement, to the advantage of both."—[It may be necessary to inform the Committee I did this in consequence of his lordship's particular desire to increase our commerce with the Mahratta country, and to add to the imports of our commodities. I was then minister plenipotentiary to the government of Poonah.]—"The Peishwah's administration is in every act, more or less, influenced by that parsimony which so invariably and so strongly marks the bramin character, while, narrow in its genius, and grasping in its policy, it frequently mistakes the mode of gratifying its ruling passion; averse from, and probably ignorant of, the systematic and equitable principles on which alone commerce can be rendered flourishing, by encouraging the industry in the security and happiness of the subject, its chief attention seems directed to conquest and depredation, giving employment at once

to the desultory military spirit of the Mahrattas, and supplying the state and chief individual bramins with wealth and power."

"Commerce, but more especially foreign, less understood, would be more slow and precarious in its operation: the arrangements necessary for its effectual protection, are incompatible with that spirit of expedience and venality by which every thing is influenced at Poona; they would in some measure trench upon the arrogant principles of aristocracy, by a general diffusion of wealth; and interfere with the system of farms, which is universally adopted from the smallest branches of the customs, to the disposal of provinces; whence the subject, instead of experiencing the uniform and vigorous protection of a wise government, is cruelly sacrificed to the rapacity and oppression of the highest bidder.

"The state of the numerous ports of the Mahratta empire on the coast of Malabar and Guzerat, but more especially the former, evinces a spirit hostile to commerce; and I have not a doubt, were its fleet equal to the end, but that it would be instantly converted to the same predatory purpose at sea, as its armies are by land; as it now is against all those whom it can master. This, perhaps, is fortunate for us, as presenting a bar to the admission and rivalship of our European neighbours; though certainly the customs of a single year in a well frequented port, not to mention the numberless advantages of population, &c. would greatly exceed the profits of plunder, after deducting the expence, which must be great, in keeping up a number of piratical vessels.

"The rich and commercial kingdom of Guzerat (every town of which is or was inhabited by rich Banians, a tribe as attached to commerce as any other tribe of Hindoos to its hereditary pursuits) flourished infinitely more by its traffic, even during the violent convulsions of the Mogul government previous to the establishment of the Mahratta power, than it ever has since that event; though time and tranquillity have given ample leisure for doing away the effect of conquest and the transfer of dominion.

"The Moguls, magnificent and ostentatious, required every article of luxury; towns and villages grew out of this spirit: the bramins and Mahrattas, less refined and more parsimonious, are averse from and ignorant of those costly modes of expence; hence those towns and cities, deprived of the cause of their existence, are mouldering fast into ruin, and their wealthier inhabitants have sunk under, or fled from, the rapacity of their new masters.

"In this cause might probably be traced the seeds of the present drooping commercial state of all those provinces of Hindostan that have been subjected to the Mahratta power; under which the provincial monied men, not to mention the substantial landholders, have been subjected to oppressions and exactions: personal property has become insecure; industry has failed; an aristocratical wealth, arising from the soil and the labours of the peasantry, has succeeded, which is confined to the conquerors, and Poonah has become an insatiable sink, into which vast treasures have been poured, scarce ever again to circulate.

"This was not the case under the Moguls; the riches carried annually to Delhi, did not stagnate there; the internal commerce of the empire, and the spirit of the people, gave full employment to the foreign influx of wealth: the productions of each province, and the performances of every art, were in high demand; and the pay of the vast armies of the empire kept pace in magnificence with every other article of expence: hence arose numberless channels, through which the wealth of the empire was again circulated to its extreme branches.

"The mere accumulation of riches by the inhabitants of an empire, is vicious and sordid; but much more so, when it becomes the sole object of the rulers; a wise legislature studies to make them the stimulatives of genius, of science, of agriculture, and of commerce; to convert them to the consumption of the produce of industry, and so to arrange them, as that the coffers of the state may be replenished from the redundance of those of the subject; but, my lord, this system is not known at Poonah.

"The fixed and grand source of this state's revenue, is agriculture; the best, perhaps, on which a nation can depend: that it has such a revenue, is the necessary consequence of possessing an immense tract of productive domain: that it is not more productive, but on the contrary, that it labours under every disadvantage, proceeds from a faulty constitution: the second is, its tribute, fixed by various denominations on the greatest part of Hin-

dostan: the third, the predatory collections of its armies: the fourth, its domestic sequestrations; and the last, its collections on the commerce of the empire; which I am inclined to think are comparatively trifling and insignificant.

"Poonah is still a large village, to which people of all denominations and all professions are now beginning to resort from the other ruined parts of Hindostan, particularly from the decayed Mogul cities. Its reputation for security, since the two abortive expeditions from Bombay, has greatly tended to promote its increase and population; as the wealthier Bramins have, in consequence, begun to employ some part of their hidden riches in building; which single circumstance necessarily gives employment to a great number, and a great variety of artificers, as the wants attendant on large buildings are endless.

"The circumstances which are above enumerated, of the great wealth of the Bramins, and the great increase of Poona in buildings and inhabitants, must, I should imagine, cause a greater demand for the articles, which can be furnished only from Bombay, than heretofore; but from what I can observe of the present genius of this government, I confess that I am inclined much to doubt the practicability of improving or extending our commerce, by any extraordinary means adopted for that purpose; and as I believe that the common course of causes arising from the state of the society has already operated its utmost effects, and will continue so to do; so do I think, that an endeavour to improve or extend them, would rather tend to awaken jealousy and suspicion of our intentions, than to answer the liberal end proposed by your lordship in council."

So far as to the genius of the Mahratta government: the next part of the question was, as to the inclination of the natives to receive European commodities. I think there certainly does not appear either to exist a want or an inclination, except amongst rich individuals, at the presidencies of our own government: the want of inclination seems to be the permanent cause in the manners of the people: the deficiency of the means seems to be a growing evil, from the decrease of the influx of specie from Europe, which, as far as my information goes, is now confined to the slender supplies from the Gulphs of Persia and Arabia; and were there any prospect of forcing our manufactures, I humbly presume that, in as far as our native fellow subjects in India are in that relation entitled to the fostering care of government, it could not be wise or magnanimous to encroach upon the slender means which they possess for their own scanty maintenance, and the payment of our revenue.

I conceive that the general population of Hindostan, by that meaning the cultivators of the land, have not the means, if they had the desire, of purchasing any English manufactures.—I do not know any of our manufactures for which they have a particular taste, except for our fire-arms; that indeed is not general; the princes who wish to embody regular corps, are desirous of getting our fire-arms and our ammunition: there may be, perhaps, spectacles and a little hard-ware; I believe that nearly comprises any articles which I have seen a disposition in them to purchase.—There is a tribe of people at Bombay, that are peculiar to the western side of India, the Parsees; those people give somewhat into the manners of the Europeans; they have no repugnance to wine, like the rest of the natives of India; and they, as I understand, give into the pleasures of the table, and frequently entertain European gentlemen.—It may be necessary for the Committee to keep in mind, that it is now 15 years since I left India; there may, perhaps, have been a considerable alteration even in the manners of the Parsees, since I left India.

At that time, was there a demand, among the richer natives, for the finer and more elegant manufactures of Britain; elegant guns, pistols, watches, and articles of that description?—They certainly were always very acceptable to them, as presents; but I never understood that they were particularly extensive in their purchases of those kinds of articles: I have frequently presented them myself, and they have been always very gratefully received.

Do you think that, in the event of a free trade, there is any probability of a materially increased sale of the manufactures of this country among the natives of India?—It may be necessary to observe to the Committee, that I have never myself been practically engaged in commerce; my general view of it has been in my diplomatic situations; and as far as it has been necessary for me to contemplate it in that point of view, I never

saw that there was any great room for an increase of demand for the manufactures of this country, in any part of Hindostan with which I have been acquainted.

Do you think that, under the present system, the opulent natives of India have full means of procuring any European articles that they may wish for?—The three presidencies of India I look upon as emporiums for the whole country of Hindostan; and I believe that the natives of the whole of the continent of Hindostan may have easy communication with those presidencies, through the agents that are residing at them.

Did it appear to you, while you were in India, that the supply of European commodities carried to the markets, was fully equal to the demand on the part of the natives?—I never heard of a deficiency; nor was I, during my residence and during my journies in different parts of Hindostan, ever applied to for increasing the quantities that had been imported.

Are not the people of India a trading and manufacturing people, that are fully adequate to supply their own mercantile wants?—I conceive them to possess manufactures fully equal to the supply of all their mercantile wants.—They are certainly extremely ingenious, docile and industrious, and quick in learning such European arts as they find useful to them.

In your opinion, was the Company's government, when you were in India, adequate to the purposes of enforcing good order, and thereby promoting the happiness of the natives under our government in India?—I presume that the present prosperous state of the British empire in India, affords the best answer to that question: further I beg leave humbly to submit, that I think the permanent goodness and efficiency of any vicarial government, must primarily depend upon the wisdom and virtue of the power whence it emanates; and secondarily on the undeviating strictness of its responsibility to that power; and as from the nature of the Company's organization, I should suppose its servants and delegates further removed from the partialities of the ruling power, and more exposed to the strictest scrutiny of its supremacy; while on the other hand the same organization removes all apprehension of that concentration of partialities or attachment which might tend to internal domestic danger, I humbly presume no delegation of government could afford a fairer prospect of efficiency over our Indian empire, than that of the East India Company, whose servants, if duly cherished, will not cease to emulate the great examples that have been set them in a Clive or a Hastings. I think that the acknowledged and conspicuous merits of the Company's civil and military servants, in constructing and upholding the mighty structure of our Indian empire, entitle them to the confidence of their King and country.—In as far as the exercise of the commercial power of the Company has hitherto been blended with that of their political, I humbly conceive that any interruption in the structure of that power, might tend to weaken the general edifice in the opinion of the natives; used, as they have been, to view it as a great whole, inasmuch as it might have a tendency to undermine the commercial intercourse between the two countries, it might certainly injure the interests of this nation.

(*Examined by the Committee.*)

When you were in India, had you many native servants in your establishment, private and public, that were commonly dressed in liveries or dresses of European cloth, made up according to the fashion of the country?—During my diplomatic situation at Poonah, two companies of sepoys were attached to it; they were dressed in European cloths. I was afterwards in the administration of the government of Bombay; all the attendants forming the retinue of the governor, were dressed in English woollens; I do not recollect that in my personal numerous establishment, my servants were dressed in European woollens.—I believe the common attendants upon the offices, in the character of messengers, who are called peons or sepoys, were generally dressed in English woollens.

Do you know whether those persons were not much pleased with such dresses?—In as far as it was a badge of authority it certainly was pleasing to them; might I judge of its being pleasing to them as a matter of habit or dress, I should think there was no particular predilection for it.

Would those persons, in your opinion, have preferred comelies, the common manufacture of the country?—I presume that each individual of those men that I have just been describing, would, were he sent upon a message in which he was obliged to be out during the night, take his comely in addition to his woollen dress.

Be pleased to state whether English broad-cloth is not commonly used in the housings of elephants, camels and horses, of the richer natives of the country?—Undoubtedly it is; and in addition, it is used for their shoes; among the richer brahmins it is likewise used for a kind of surtout, with a cape that comes over their heads.

Are you of opinion that the commercial pursuits of the Company tend to raise the character of the British nation in India?—I do not conceive that the commercial dealings of the Company have any particular tendency to increase the respect of the native princes in India. In as far as it connects them more generally with the commercial classes in India, I presume it may have a tendency to increase its influence over those classifications of society. I am rather inclined to think, that in the event of any diminution of the powers and privileges now exercised by the East India Company, coupled with an influx of a new class of Europeans from this country, the general result upon the minds of the Indian princes might be detrimental to the interests of the Company. I think in my former answer, the general result is that a diminution of the influence of the Company, by the abolition of its trade, might be detrimental to its governmental character; it remains for the Company, in its financial character, to determine, whether that diminution of character would be compensated by saving or avoiding the supposed incurred commercial loss.

Have you observed any considerable use made by the natives of India, of the metals of this country, such as copper, iron, steel, &c.?—The natives of India certainly make great use of copper, iron, and steel; they have abundance of iron in their own country; steel they likewise have, but in what proportion, or what quantity, I cannot pretend to say; copper is in universal use amongst them. There are very great iron works in the north of India, in the neighbourhood of Gwallior; it is now fifteen years since I was in that part of the world, and I do not exactly recollect the very spot where the mines are, but they were in the course of my journey to the north of India, and were visited, and have been in some measure described by a gentleman of my suite.—The natives of India use copper and brass vessels for various domestic purposes.—I believe that a certain proportion of vessels of one or the other of those metals is almost a necessary part of their domestic utensils, but I cannot speak to the proportion between the use of them and earthen vessels: I beg incidentally to mention that, in their great entertainments, the Hindoos do not use either earthen or metal vessels; their plates off of which they eat, are composed of leaves sewn together. My residence while in India was chiefly in foreign situations, and during that residence, I certainly had no opportunities of observing any particular additional importation, or use of European articles; in as far as the European population at Bombay increased, there certainly must have been an additional call for European articles; I likewise believe that the Parsees of Bombay have increased in their demand for European articles.

Had not the Company formerly a considerable trade with Sind in the articles of woollens and metals?—They certainly had, and a commercial residency existed in the country of Sind.—I do not know accurately how they lost the trade, but I understood the withdrawal of the factory to have been from the unsettled state of the country.

Does not India produce remarkably fine grapes, and in great abundance?—Grapes I believe have been latterly introduced upon the island of Bombay; there were grapes grown at Poonah, but not in great quantities; greater quantities, I understand to have been grown at Aurungabad; I am not acquainted with the culture or growth of grapes in any other places.—Doubtless grapes might be produced to any extent.—I presume that the soil and climate of India might be used to the cultivation of cotton to any extent. Happily for this country, and for that part of it which is charged with the administration of India, I do not think that hitherto there have been any general marks of antipathy to the English nation, or its government in India, at least none have come within my knowledge; with respect to the influence of coercive treaties, and the alliances of ascendancy, they have, generally speaking, been formed since I left India, consequently I cannot be so well qualified to speak to the influence of those treaties as gentlemen who have had an opportunity of local observation.

Are you of opinion, that, considering the delicate texture and tenure of the British empire in India, which is acknowledged not to depend upon its numerical, but on its moral force, that is opinion, repeated indiscretions of British subjects or Europeans might shake the tranquillity,

and not remotely the security, of the British empire in India?—I certainly think, that the indiscretions of our countrymen in India, coupled with the report of various proceedings in this country, of meetings, tending to diminish their commerce, to encroach upon their religion, and generally evincing a disposition subversive of their present state of society, may have a tendency to shake and undermine the amicable sentiments of the natives of that country

Is or is not the population of India at present generally submissive, and apparently contented under the British government?—Previously to my leaving India, as far as my situations enabled me to judge, there was a degree of confidence in the native powers towards the Company's government, that was highly creditable to that government, and to our country in general.

Do you imagine that the Mahomedans, out of whose hands the power has been taken by the British nation, which power they formerly used for the purpose of pillaging and oppressing the Hindoos, are equally contented, though apparently submissive with the Hindoo part of the population?—I think that the mass of the Mahometan population being so widely diffused and scattered, can hardly be supposed to form one general opinion or sensation; but I think that the chieftains and principal members of the Mahometan part of the society, must certainly feel their present humiliating situation extremely irksome.

As long as the Hindoo population is contented with the British government, do you imagine that any discontents, or practice from those discontented Mahometans, could shake the British empire?—India is a country of vicissitude and revolution; I think it not at all improbable that some great genius, some extraordinary spirit, might arise, that could combine the present floating spirit of discontent in the Mahometans into one mass; in which case I think, notwithstanding the general amicable disposition of the Hindoos, that spirit might be dangerous and difficult to subdue.—Admitting the hostile spirit to be produced by any indiscretions or violations of the manners on the part of our countrymen, I presume that only power and opportunity would be wanting to effect the suggestions of any indisposition which might have been created.

April 27.

Alexander Falconar, esq. was called in. The following is the substance of his examination:

I have served the East India Company in all the different departments of the government. I resided in India for about 23 years, at the presidency of Madras.—I served in the military department, as an officer of infantry, of artillery, and of cavalry; in the civil department, as a revenue, judicial, commercial, political and diplomatic servant.—I was appointed by the government of Madras, during the period of the late military commotions there, to execute the functions of chief secretary to the government, and continued in that situation, till the termination of those dissensions.—At that time, I was senior member, and officiating president of the board of revenue; to which station I had attained through the several gradations of junior, second, and senior member, in a course of ten years service at that board About the year 1790, I quitted the military for the civil service of the Company.—I filled the office of Persian translator to the government for the period from 1794 till about the end of 1810; I also filled the office, at one time, of Gentoo translator.—I am, in some degree, conversant with the Arabic, Persian, and Hindûstannee, the Sanscrit, and Telinga or Gentoo languages.

Mr. *Grant.*] From the acquaintance which you have acquired with the characters, manners, institutions, and prejudices of the natives of India, do you apprehend that the unlimited admission of British subjects to an intercourse with the native people, would be favourable either to the security of the natives, or to the stability of the British government, under which they live?—If an unrestrained resort of European adventurers to India were permitted, and an unlimited licence of intercourse with the inhabitants of India granted, I apprehend the measure, besides being pregnant with delusive and seductive schemes of advantage to the adventurers themselves, would also be productive of consequences detrimental to the interests of the British empire in India, to those of the East India Company, and to the tranquillity and happiness of the Indian population.

In what manner do you conceive that the abuses, of which you have spoken, would arise, under the circumstances sup-

posed?—They would arise from the extreme dissimilarity in the national character of the people of the respective countries, their different customs, manners, religions, sentiments, laws, and languages.

Have you observed in Europeans, either from their ignorance of the native usages and prejudices, or from an opinion of their own personal and national superiority, a disposition to insult or domineer over the natives?—A disposition of that nature has been generally observed: in the course of my experience, I have officially known many references to the government, in consequence of the dissensions occasioned by the imprudent, injudicious interference of Europeans with the native population.

Supposing that the restrictions at present enforced on the admission of Europeans into the interior of India, without being abolished, were materially relaxed, is it your judgment that such a change of system would involve a proportionate hazard of the evil consequences described in your former answer?—In whatsoever degree they were relaxed, it would involve the hazards to which I have just now alluded.

You are doubtless aware that British subjects for offences committed against the natives are amenable only to the supreme court of judicature, and triable only by a jury composed of British subjects, do you conceive that it would be practicable or expedient to invest the Zillah courts, with a criminal cognizance over British subjects in general?—British subjects are liable only to the supreme court of judicature at the presidency for criminal cases; but they are liable to the jurisdiction of the Zillah courts in civil cases, when the property litigated is less than 500 rupees; but I conceive it would be both impracticable and inexpedient to subject them to the trial by a native jury in the Zillah or provincial courts.

Would it in your opinion be practicable to institute a trial by jury in the Zillah or provincial courts, this condition being supposed, that such jury should consist exclusively of British subjects?—It would be impracticable in the Zillah courts, there being few or no British subjects resident in the situations where those courts are established.

Could British subjects in general be made criminally amenable to the courts in question as now constituted, without offence to the national feelings and prejudices of Englishmen?—In my opinion they could not.

Would the frequent exercise of coercion over British subjects on the part of native officials, or corps of sepoys, tend to lower the estimation in which the natives hold the British character?—It would.

Supposing that an open trade were established between this country and India, but that British traders were interdicted from touching at any point of the coasts of India, except at the presidencies or at garrison towns, or in situations where the British government has established some sort of port police, do you conceive that such interdiction would prove effectual to prevent vessels from touching on other parts of the coast?—There are various creeks and places along each coast of the peninsula, besides the ports and places at which government have custom and police establishments, at which vessels navigated by European traders might successively touch for the purposes of illicit trade, and elude the appointed custom and police establishments; I mean on the Malabar and Coromandel coasts.—British mariners might successfully run from those trading vessels, and penetrate into the interior of the country, producing various mischiefs, or that those trading vessels might smuggle goods, by means of touching at those creeks and mouths of rivers to which I have alluded.

From your experience are you able to state, whether the natives of India furnish a considerable demand for the commodities of Europe?—The demand for the commodities of Europe is very small amongst the natives of India.—I am not aware that it has encreased; I apprehend it has rather diminished of late years.—I am not aware that it has encreased amongst any class of the native population; and I am of opinion, that it is unlikely ever to encrease beyond the degree in which we have found it by experience.—I imagine that the experience of the East India Company for a period of about two centuries, and the experience of other nations trading to Asia, has afforded ample proof of the improbability of increasing the demand beyond its present standard.

You have stated that the native demand for European commodities has recently rather declined than otherwise, can you state the causes of such declension?—The Indian population, from their dispositions, habits, and manners, are disinclined to the use of European commodities; they are also so expensive, that the natives in general have not the means of purchasing

them; the markets in India have for some time past been overstocked with those commodities; the efforts of government have, on various occasions, within my own experience, been ineffectual to procure vend for those commodities; I have known applications, on the part of government, to the native courts and princes of the country, offering clothing for their military establishments on very reasonable terms, at prime cost, I believe; and I have known those proposals to be unsuccessful; there are periodical sales of those commodities, on very low terms; those sales are ineffectual to produce a disposal of many of those articles; the tastes and dispositions of the people of India are, at the present moment, the same as we know them to be described by the historians who accompanied the expedition of Alexander the Great, upwards of two thousand years ago, they are the same at the present moment, as described by the native annalists of India, for a period long anterior even to that date, and it appears to me unlikely that they can by any expedient be changed; the market being overstocked, the demand of the natives has necessarily decreased.

Do you mean that the native demand for imports from this country has declined in consequence of the Indian markets being already overstocked with European commodities?—I mean that the demand for European articles in India, has declined; I am not aware of any demand by natives for articles from this country; I have heard of occasional applications, on the part of the native merchants, to the captains of Indiamen, for some particular articles, but there is no general direct demand on the part of the natives of India, for articles from this country.

Is the demand which the natives of India furnish for European commodities, found to encrease in proportion to their means of purchasing those commodities?—It does not.

You have stated that many of the natives have not, in fact, the means of purchasing European commodities, is not that remark applicable to the great majority of them?—It is; the more opulent of them have the means, and if they had the means without end, they would apply those means to other purposes, than the purchase of European commodities: in the purchase of horses, of bullocks for their ploughs, and for the native cars; in the purchase of articles of eastern jewellery; in encreasing the number of their ladies; in the celebration of their marriage ceremonies, and of the anniversary ceremonies of the obsequies of their ancestors, and such purposes; seldom in the purchase of articles of European luxury.

In the settlement of Madras, are the superior natives found to imbibe a taste for European fashions?—Only the dubashes, or principal native servants of European gentlemen.

Do the dubashes adopt European fashions from a wish to please their employers or masters?—Entirely from that impulse.

Can you state whether the average price of agricultural and manufacturing labour in Coromandel, is not incomparably less than the average price of labour in this country?—It is greatly less.

Can you state the average price there?—It varies in agriculture, from the extremes of 6*s.* to 12*s.* a month; amongst the different classes of artizans, in various proportions from 12*s.* to 20*s.* per month on an average, as I believe.

You have stated the price of labour to be greatly less in India than in this country, *do* you mean to imply, that the comforts enjoyed by the labouring classes are likewise in the same proportion?—By no means; their comforts are, perhaps, superior to the comforts of the labouring classes in this country; they are proportionate to their wishes and their wants.

From the cheapness of labour in India, would you infer that the labouring classes are in a state of wretchedness?—Certainly not.

In your judgment, is the simplicity of the modes of life prevalent amongst the natives of India occasioned by circumstances in the nature of the climate?—It is occasioned by physical and peculiar circumstances in the climate, and the temperament of the people.

Do you apprehend that the countries of Europe can ever, under any circumstances, be on a great scale manufacturing countries, for the bulk of the native Indian population?—I imagine not.

To what causes would you ascribe it, that the commodities of India can advantageously enter the markets of Europe, and this against rival commodities brought from a much less distance?—To the extreme cheapness of labour in the manufacture of Indian commodities.

On the supposition that an open trade were established between this country

and India, do you conceive that such trade would labour under any other difficulties in the interior of the country, than those resulting from the limited native demand for European commodities?—I apprehend that it might be occasionally subjected to the perils of passing through the countries of polygars, zemindars, and independent chiefs, who, besides plundering those articles, would also levy unauthorised rahdarry duties on the transit of those commodities through those tracts of country; even the articles of the trade of the East India Company are sometimes not exempted from such depredations, and from the unauthorised exaction of those duties.

THOMAS COCKBURN, esq. was called in. The following is the substance of his examination:

I was in the civil service of the East-India Company, from 1779 to the close of 1802, under the presidency of Madras. I was commissary to the army from 1786 until 1793; and a member of the board of revenue from 1793 till the period of my departure from India.

Mr. *Jackson.*] Had you, in your official character, much occasion to correspond with native collectors and other officers?—Not with native officers directly; but through the collectors, and I had very constant communications with all classes of natives personally.

From this degree of personal communication described by you, could you ascertain that their manners and opinions were of a fixed and unchangeable nature?—Judging from all I had read, in respect of the religion, manners, and usages of the Hindoos, and comparing what I had read with what I saw when in India, I should think their manners and usages as unchangeable as it is possible to suppose the manners and usages of any people can be; I think they considered their prejudices and habits almost interwoven with their existence.

Did their religious prejudices seem to be of a deep and rooted nature?—I have stated, that they considered their religious prejudices as interwoven with their existence.—I believe their civil and religious habits are inseparable.

Have the natives had reason to complain of the conduct of the Company's servants, either as to intentional or unintentional violation of those rules of respect for their civil or religious prejudices?—I have no knowledge of a general want of attention to their religious and civil prejudices; I believe it may be generally said, the greatest attention has been paid to them by the Company's servants, civil and military; there can, of course, be no rule without exceptions.

Are they not capable of involuntary offence from persons unacquainted with their usages and customs?—Many instances, I believe, have occurred of that.—In many instances I have known this; but I cannot particularize the instances; I might go as far back as 1670, when a resident at a particular factory got a present of a bull-dog from a captain of a ship, and went out hunting with it, and the bull-dog unluckily fastened upon a cow that belonged to a pagoda.

Have you observed new comers to be more liable to offend the natives, than those who had previously made themselves acquainted with the language and customs of the natives?—Certainly, they are much more liable to it; they may do it frequently without being sensible that they are committing an offence; they may go near to a man when he is dressing his victuals, which is an offence that would render it necessary to throw away his dinner; they may do things without being at all aware they were committing offences.—If he passed within that circle which they draw round the place where they are cooking their food, they would throw it away, if they were correct Hindoos.—I suppose there may be not less than fifty different sects of Hindoos, that have all their peculiar usages, which I am not acquainted with particularly; for I believe it would require a life to study them; where there are such a vast number of sects, it is impossible to describe all the particular modes by which a Hindoo might be annoyed by an European, who was ignorant of those customs.

Are such means by which they might be even unintentionally annoyed, numerous and various?—I should conceive them to be so.

Have you observed among new comers, a disposition to tyrannize over the natives, from any conscious superiority of the European character?—I believe it has very frequently occurred, that persons on their first arrival, are not so considerate of the natives as they should be.

Supposing, that in consequence of an open trade from every port in the united kingdom to every port within the limits of the Company's charter, a material influx

of Europeans were to take place into India, what are your ideas as to the effect it might have, either upon the general happiness of the natives, or the welfare and stability of our Indian empire?—It is very difficult to say what would be the effect of it; it would very much depend upon the regulations made in this country, to prevent the evil that might arise from it; and from the execution of such regulations in India.

Supposing the influx to be material, and the access thus general, do you apprehend that such regulations, as you have hitherto observed or contemplated, could be effectual for such restraint?—The regulations that existed when I was in India were, I believe, when a ship imported at any port on the coast where there was a master attendant and a custom house, for the master attendant to send to the ship for a list of passengers, and a list of the crew, describing their countries and pursuits, before obtaining which, no boat or any thing else was suffered to land from the ship; if any of the persons on board that ship wished to proceed into the interior of the country, it was necessary to apply for a passport; if on his arrival at the station to which the passport was granted, he wished to proceed further, a new passport must be taken out; all Europeans travelling without passport were liable to be stopped by the officers of government dispersed over the country, and by the inhabitants of the villages who were rewarded for bringing in straggling Europeans of any description.

Are there not many ports on either side of the peninsula, that are not under the immediate authority of the Company?—On the Coromandel coast, from Cape Comorin to Calcutta, every part is under the immediate influence of the Madras government, I believe, with the exception of a small spot, where there is an independent polygar, of the name of Tondiman, the English influence prevails all round his country.—The whole run of the Malabar coast up to Goa, is, I believe, also under the English government, and subject of course to the regulations of the English government.—To Goa, they are, I believe, subject to the Company; and beyond that, I believe there is a small tract which is independent of the Company.

Do you apprehend a free trade capable of being carried on profitably and effectually on either coast of India, unless the merchant or adventurer should have leave to follow his own merchandize, and superintend the sale of it?—I am not aware where a merchant would have occasion to follow goods, carried from this country, into the interior of India; merchants who traded to India when I was there, found it most advantageous, I suppose, to carry their cargoes where the best market was to be found, namely, the presidencies of Madras, Bombay, or Bengal; and there they would find a sale either by retail or by cargo; but I do not believe that cargoes to any extent could be disposed of, so as to obtain a return cargo, but at a very great loss.

Supposing the adventurers should think it most expedient for themselves to accompany their merchandize into the interior, do you think it would be politically safe to allow them so to do?—If by the question I am to understand an unrestrained resort into all parts of India, I should consider it as likely to produce very bad effects on the peace and happiness and comfort of the natives, and on the English interests in India; if restraints were imposed, it might not have so prejudicial an effect.

Supposing so universal a free trade to India as that which has been stated, allowing to every person, from every port of the United Kingdom, to go with his merchandize to India, whether confined to the three presidencies, and such ports as have garrisons or custom-houses, or whether allowed to every port within the limits of the Company's charter, is it not your opinion, that the number of adventurers thus introduced to India must, in the nature of things, be very considerable?—I have already stated, that I do not believe any great number could, for the purposes of trade, go into the interior of the country; and while the laws, which preclude Europeans from holding or renting lands, without the permission of the governments of India, exist, I cannot perceive a probability of any very great number of Europeans taking up their residence in the interior; if a great number were likely to take up their residence there, it would certainly require the utmost vigilance of the government, and the strictest execution of its regulations, to prevent evil consequences arising from it.—I should think it very probable, that tradesmen and artificers travelling through the country, would endeavour to seek employ with some of those native powers

with whom we have connection, or who are not immediately connected with us, if very great encouragement was held out to them; but under a vigilant execution of the regulations, I have already observed, I do not apprehend that many persons of that description could obtain a residence in the country.

Do you concur in opinion, that the usual earnings of the great mass of the natives in such parts of India with which you are best acquainted, are from six to twelve shillings per month, or thereabouts?—I have a statement of expences of a labouring man and his family at Madras, which I had occasion to call for, for my own information: it was obtained for a purpose, that it was not likely to be undervalued; this is a statement of expences of the family of a labourer, consisting of himself, his wife and five children, the eldest eight years old, and the youngest an infant; they amounted in the aggregate to 11*l.* 6*s.* per annum, in which was included, for clothing for the entire family, 17*s.* and a fraction, for the whole year.

[The witness delivered in the Paper, which was read as follows:]

EXPENCES *and* EARNINGS *of the Family of a* MADRAS LABOURER, *consisting of himself, his Wife, and* 5 *Children, the eldest* 8 *years of age, the youngest an Infant.*

NECESSARIES.		Per Day.	Per Month.	Per Year.
		Pag. Fan. Cash.	Pag. Fan Cash.	Pag. Fan. Cash.
Rice for the Husband and Wife, at 1½ measure per Day		— 1 40	1 — —	
Curry Stuff		— — 15	— 5 50	
Salt Fish, or Green and Herbs		— — 10	— 3 60	
Firewood and Bratty		— — 20	— 7 40	
Lamp Oil for the Lamp, and Gingely Oil for washing the Heads		— — 20	— 7 40	
Salt		- - - -	— — 40	
Betle Nuts and Tobacco		— — 20	— 7 40	
Rent of a Veranda or Small Room		- - - -	— 2 —	
1 Boy of 8 years of age, ¼ measure of Rice		— — 20	— 7 40	
4 Infants ⅛ do. do.		— — 30	— 11 20	
			2 8 10	26 6 10
2 Man Cloth for a year	— 22 40			
1 Turband do.	— 11 20			
2 Woman Cloth do.	1 — —			
Cloth for 4 Boys	— 17 —	- - - -	£. s. d. (0 17 0¼)	2 5 60
EARNINGS.	Pags. per Month.	per Year.	£. s. d.	
For the Man, at 3 Fanams per day	2 — —		(11 6 1¼)	28 11 70
For the Woman, at 1½ do. do.	1 — —			
For the Boy of 8 years, at ½ do.	— 22 40			
	3 22 40	42 — —		
	Pags.			
Deduct 1½ Months labour for the Man, for casualties	3			
Do. 4 Months labour for the Woman, for casualties	4	9 — —		
Do. 4 Months labour for the Boy, for casualties	2	——— - -	£. s. d. (13 4 0)	33 — —
Savings			£. s. d. (1 17 10¼)	4 33 10

April 28.

Be pleased to proceed in your answer to the question proposed yesterday?—The earnings of this family, allowing for casualties and non-employment, amounted to 33 pagodas per annum; the prices of provision at Madras are of course higher than in the interior of the country, and greatly higher than in Bengal; and I beg leave to hand in the prices of the provisions included in the statement already referred to, at the period when it was given to me, in 1802.

[The witness delivered in a Paper, which was read, as follows:]

TABLE *of the* NECESSARIES *of* LIFE, *generally in use among the* HINDOOS:

	G. Per Measure, = to lbs. oz. 2 14¼ English.	F. Per Mercal, = to lbs. oz. 23 2$\frac{33}{111}$ English.	E. Per Garce, = to lbs. 9,256 English.	A. Per Pallem, = to oz. dec. 1 25 English.	B. Per Viss, = to lbs. oz. 3 2 English.	C. Per Maund, = to lbs. 25 English.	D. Per Candy, = to lbs. 500 English.
	Fans. Ch.	Fans.	H. Pag. I. Fans. J. Ch.	Cash.	Fans. Ch.	Pags. Fans.	Pags. Fans.
Rice	1 10	9	80 — —				
	2½d.	1s. 7½d.	£32.				
Nutcherry	— 60	6	53 16 70				
	1½d.	1s. 0¾d.	£21 : 7 : 0				
Pepper	—	—	—	25	12 40	2 10	44 2
				¾d.	2s. 2½d.	17s. 9¼d.	£17 : 12 : 4¾
Chilly	—	—	—	5	2 40	— 20	8 40
				5th of ¾d.	5¼d.	3s. 6¾d.	£3 : 11 : 1¾
Tamarind	—	—	—	—	1 60	— 14	6 10
					3¾d.	2s. 5¼d.	£2 : 9 : 9¾
Turmarick	—	—	—	7½	3 60	— 30	13 15
				¼d.	8d.	5s. 4d.	£4 : 8 : 10¾
Mustard	—	—	—	5	2 40	— 20	8 40
				5th of ¾d	5¼d.	3s. 6¾d.	£3 : 11 : 1¾
Cummin Seeds	—	—	—	15	7 40	1 15	26 30
				½d.	1s. 4d.	10s. 8d.	£10 : 13 : 4¼
Menty	—	—	—	6	3 10	— 25	11 5
					6¾d.	4s. 5¼d.	£4 : 8 : 10¾
Garlick	—	—	—	11	5 40	— 44	19 25
				¾d.	11¾d.	7s. 10d.	£7 : 16 : 5¾
Onions	—	—	—	5	2 40	— 20	8 40
					5¼d.	3s. 6¾d.	£3 : 11 : 1¾
Ghey	—	—	—	17½	8 60	1 25	31 5
				½d.	1s. 6¾d.	12s. 5¼d.	£12 : 8 : 10¾
Boiled Nuts	—	—	—	24	14 —	2 22	48 40
				¾d.	2s. 6¾d.	19s. 10¾d	£19 : 11 : 1¾

A. 1 Pallem = 1 oz. 25 dr.
B. 40 Pallem 1 Viss = 3 lbs. 2 oz.
C. 8 Viss 1 Maund = 25 lbs.
D. 20 Maunds 1 Candy = 500lbs.
E. 1 Garce = 9,256 lbs.
F. 400 Mercals = 1 Garce.
G. 8 Measures = 1 Mercal.

H. 1 Pagoda = 8 Shillings.
I. 45 Fanams = 1 Pagoda.
J. 80 Cash = 1 Fanam.

N. B. The Cash is a copper coin 37½ to a penny, coined and sent from England to India.

In the interior, the price of labour and of living must of course be much lower than at Madras; I had an opportunity of knowing the price of labour in the interior, in consequence of my situation at the board of revenue, and know that it is much lower. I have also a statement of the expences and earnings of a middling family, composed of six men, a boy of five years of age, and twelve women, in all nineteen persons; the person to whom I allude was in the situation of a dubash, who keeps a hackerry, a carriage used in that country, with two bullocks; the whole expences of this family amounted per annum to 200*l.* and a fraction sterling; of which the expence for clothing the whole family, for the year, amounted to about 32*l.* sterling.

[The witness delivered in the Paper, which was read, as follows:]

EXPENCES *of a* MADRAS *middling* HINDOO FAMILY, *of Six Men, a Boy of 5 years of age, and 12 Women;—in all 19 Persons.*

		Pag. Fan. Cash.
30 Mercalls of Rice, at 1 Mercall per day; at 5 Mercalls per Pagoda		6 — — £2.
30 Measures of do., at 1 Measure per day, for the daily Beggars, &c.		— 33 60 6s.
30 do. of Nutcherry, is 3¾ Mercalls per month; at 8 Mercalls per Pagoda		— 22 — 3s 11d.
3 do. of Doll and Green Gram - do. - - at 4 do. -		1 — — 8s.
Buzar Expences, such as Ghey, Spices, and Curry Stuff, &c. - -		5 — — £2.
500 Billets of Firewood, 2 22 40, Bratty, 22 40 - - - -		3 — — £1. 4s.
30 Bundles of Beetle, at 1 Bundle per day, at 1 30 each -	— 41 20 7s. 4d.	
4 Viss of Boiled Nuts, at 15 Fanams per Viss - -	1 30 — 13 . 4d.	2 33 40 £1 . 1 11½
1 do. of Tobacco - - - - - - - -	— 7 20 1s 5d¼	
9 Measures of Lamp Oil, Fanams 54, Gingely Oil, 1 Measure, 7 -		1 16 — 10s. 10¼d.
Sundry Expences in Fanams, and for Vegetables, such as Brinjals, Planteens, Potatoes, &c. for Currys - - - - - -		5 — £2.
HACKERRY EXPENCES.		
Horse Gram for the Two Bullocks:		
90 Measures, at 3 Measures per day, at 8 Mercalls per Pagoda - - - - - - - - -	1 18 20 11s 2¼d	
Straw, 20 Bundles, at 4 Fanams per Bundle - -	1 35 — 14s. 2¼d	4 42 — £1 : 19 : 5½
Hackerry Driver's Pay - - - - - - -	1 33 60 14s.	
1 Servant, 1 Pagoda - - 1 Washer, 22 40 - - -		1 22 40 12s.
		31 34 60 £12 : 14 . 3
Cloth for the Men and Women, for a year - - -	80 — — £32.	
Father and elder Brother's Anniversaries - - -	25 — — £10.	
Expences of Pongal Feast - - - - - - -	15 — — £6.	
	12) 120 (- - Per Ann. £48. - -	10 — — £4.
TOTAL Expence for a Month -		41 34 60 £16 : 14 : 2 per Month.
TOTAL per Ann. -		£200. 10s.

The dubash is considered as a superior sort of person?—A person of the middling rank, and in a higher sphere, from his keeping a hackerry, and being employed as an interpreter. The dubashes are employed as agents, as interpreters, as merchants under Europeans, and in a variety of shapes.

Are they frequently employed as stewards, in taking care of the pecuniary concerns of the Europeans?—Yes, always; and are themselves very often merchants. Generally speaking, they are persons of medium property; many of them, I believe, live more upon salaries and emoluments derived from their mas-

ters, than having any property of their own; though there are also many of them possessed of considerable property.

If aggression towards the natives should increase in proportion to the number of new adventurers, and the difficulties of appealing to the supreme court remain as great as they are at present, might it not, in your opinion, drive the natives to despair or ultimate revenge, or disaffection towards the British government?—Of course, in proportion as occurrences of this nature took place, of oppressions from Europeans to the natives, so it would naturally indispose the natives to the British government; but unless it can be supposed that you are speaking of an extreme case, it is difficult to believe that it would have any immediate effect in producing rebellion; in proportion, however, as the religious habits and usages and customs of the natives are infringed by Europeans, so of course would they be ready to join any power that might give them a hope of being relieved from oppression. I do not consider, speaking generally, that the native British subjects of India can have any motives for union, so as to at all affect the permanency of the British government in India, so long as the perfect toleration of their religion, their usages, their prejudices, the government of their own families, and security for their persons and property, are allowed to them. I believe the stability of the British government in India to depend, principally, upon the justice and impartiality with which the laws are administered, and on complete protection, as I have already explained, being afforded to the natives.—Their ideas of the British character must be entirely founded upon the conduct of the British government, generally speaking, to the inhabitants at large; individual injuries do not, I conceive, make so deep an impression upon them.

If Europeans were made amenable to the native courts, would not that, in your opinion, lessen the ideas of the natives with respect to European superiority, and that deference for the European character which the natives now appear to feel towards them?—The deference to the European character among the natives of India must be founded, not only on their physical strength and greater superiority of understanding, generally speaking, but upon the justice which they experience from them: and, if all Europeans who seek to reside in the interior of India with the licence of the Company's government and who go there for their own advantage and of their own freewill, were to be made amenable in all cases, except life and death, to the country courts, I mean the courts of appeal and of circuit, where European judges preside, which courts are authorized by the legislature of this country, I am of opinion that it would be considered by the natives that the English acted with justice and impartiality. I think that it is one of the greatest evils that they can suffer, to be under the necessity of seeking justice, as I have already stated, at so great a distance. In the explanation I gave yesterday upon the subject of the courts, I believe I omitted to state, that all persons employed by the Company or by Europeans in India were, by a construction of law, not supposed amenable to the country courts; and when I was in Bengal in the year 1802, numerous persons who had committed murder, being sepoys in the employ of the Company and others, were confined, because the government under a reference made upon that subject, did not feel that they had the power to order their execution; and that therefore the evils which I have explained would be greatly extended unless some subsequent act, since 1802, has remedied the evil. A reference had been made to England upon this subject, which had not been answered at the time I left India. Another inconvenience, arising out of the undefined powers of the supreme courts, and those of the country courts, existed when I was in Bengal; the courts of sudder and foujdarry adawlut at the presidency, the former being the chief court of civil, and the latter of criminal jurisdiction, were not allowed or supposed to have any concurrent jurisdiction in Calcutta; I mean, that if the sentence of the court was to be executed by a person, having come to Calcutta, in regard to whom an appeal was made, and a decree had issued, it was alleged there was no authority vested in the sudder courts to take up such person; and I was given to understand, that any attempt at such an arrest, if resisted and death ensued, would be considered as murder, and therefore, the only legal mode of proceeding in such a case, was to institute some other suit in the supreme court, thereby adding to the heavy expenses which had accumulated in the progress of the trial in a zillah court, in the court of appeal or circuit, and in the sudder court. Having stated these circumstances on my

return from India, lord Cornwallis mentioned them to the chairman of the court of directors, and measures were I believe adopted, or were about to be adopted, for remedying the evils; I mention them now, lest that should not have been effectually done.

Would not the admission of rival traders into India, against the known consent of the Company, materially shake their weight and consequence in the eyes and in the opinion of the natives?—I should think an unrestrained admission of Europeans, under any plea, into the interior of India, very destructive to the English interests in India, and therefore destructive to the Company who have the government of India.

Supposing such admission to be against the known consent of the Company, would it not lower their weight and consequence in the opinion of the natives?—It would make the natives feel that persons had a right to go into the interior, without either the sanction or consent of the government, and naturally give rise to an idea that the government had no controul over them; and therefore would, no doubt, very much lessen the respect due to the authorities of the governments in India.

Would a belief or opinion on the part of the natives of colonization by British settlers, be to them an acceptable or an alarming idea?—I should, in my own opinion, consider it pregnant with the most baneful consequences; it would utterly destroy the confidence of the people of India in the faith and justice of the British government, who have, in the regulations that have been promulgated throughout India, solemnly declared, that in all the changes made by those regulations, they have only in view to secure to the natives of India entire freedom of religion, habits and usages, and entire controul in their own families, according to the laws of the Shaster and Koran; which regulations have been so far affirmed, that they have been legalized by acts of the legislature of this country; viz. 21st of the King, chap. 70; 37th chap. 142; and an Act in 1800. Supposing a persuasion to take place on the part of the natives, that British colonization were about to take place, what consequences do you apprehend from such a belief?—The consequence of indisposing them to the British government, and of their taking the first opportunity of relieving themselves from what they would consider their oppressors.

Do you apprehend that there is room to hope for any materially increased consumption of European articles by the natives?—I do not apprehend, from what appears to be the usages and habits of the natives, and from the articles they in general use, that any great increase of consumption amongst the natives of British manufactured articles can be expected; it is reasonable to suppose that as population increases consumption must increase, in a certain degree, of such articles as they may have been in the habit of using; but it is very difficult for any man to say whether there may not be some articles that may not hereafter be required by the natives, though, in my own opinion, I think there never can be any great extent of demand. The wants of the people of India are very few; the table of necessaries which I have given in, shews what articles are used for their general consumption; and unless some of the articles of Europe should enter into the general consumption of India, I do not think that we can expect any great extension of the consumption of European articles among them; but there has been a great increase of consumption of European articles for the Europeans in India and the descendants of Europeans in India, and that will increase in proportion to the increase of those descriptions of population.

Can you name any new article which, in the course of your long experience, has been introduced into native consumption?—I am not aware of any new article; I believe they have used a few empty bottles for the purpose of keeping ghee and oil and such things, in addition to a few woollen articles; they used very few carriages while I was at Madras, there were not above three or four natives who had carriages; they use sometimes a few glasses; the metals of course were used, iron and copper; but I never was engaged in trade there, and therefore can only speak generally to those points.

Have the natives throughout India, as far as your knowledge extends, uniformly had the means of full and ample supply of such European articles as they might require under the present system of the Company's trade?—As far as I know, they have had an ample supply of all the articles imported by the Company and by individual traders: the only proof that I can offer that these supplies have been ample, is, that on the 30th of April 1793, it appears that there were in the

Company's warehouses in India imported goods from Europe to the amount, I believe, of about 159,000*l.* unsold, and that on the 30th of April 1809, there were upwards of one million sterling imported European goods in the Company's warehouses unsold; I believe the Company had in the intermediate period between 1793 and 1809, very much increased their exports from this country; this shows, therefore, that consumption did not follow the increased export.

When it has happened that natives have possessed or acquired considerable property, have they directed its expenditure materially towards the purchase of European articles, or in native, or other indulgencies of a different nature?—In the part of India where I resided, the natives generally employed their superfluous wealth in the expences of the marriages of their children, in the ceremonies performed on their father's death; and besides these, the richer classes of them employ large sums in repairing pagodas; digging tanks, where no water is otherwise to be had, for the travellers and the cattle; wells for the comfort of travellers; choultries, or refectories for their convenience, where no shelter could be otherwise had; and for charitable purposes, which every native of any fortune or distinction feels it his duty, as it is prescribed by his religion, to bestow.—I have frequently been at marriages and ceremonials, and on such occasions have had an opportunity of observing some glasses and small lustres, as matter of ornament; but the European articles used on such occasions for the convenience of the Europeans, who were invited to attend, are generally borrowed from the Europeans, their masters, or others.

Can you say whether the natives increase either in the practice or the capability of manufacturing what are called European articles?—I do not recollect any article in particular of European manufacture that they make, except carriages, which are produced by the native artificers, employed under the superintendence of Europeans, who make very good carriages; the natives themselves make plate, and have done so time immemorial, and very curious workmen they are, as will be seen by the Tritchinopoly chains exhibited in this country.

Do you think that such articles as are generally consumed by Europeans in India, will not by-and-bye be imitated and made by the natives, instructed by European artists?—A great portion of the articles that are carried from England to India for the consumption of Europeans, are articles of consumption for eating and drinking; broad-cloth cannot be made in India, as it now stands, unless the wool is carried out there for the purpose of making it, the wool of that country being, unless very far to the northward, too much of a hairy quality to make good broad-cloth.

Does any other article occur to you which they would not be able to make?—Iron they can make in any quantity that is desired, for they have the best materials for so doing; steel they make very good; copper is to be found there, but not in great quantities, at least where the mines have been tried they have not been found very productive; there may be many articles which, if I had possession of an invoice of those articles that are used by Europeans in India, I might be able to point out: hats they could not manufacture unless instructed by Europeans; if instructed by Europeans, there is plenty of hare-skins and rabbit-skins to be found in the country, from which they might make hats; for most of the articles which are for the consumption of Europeans, in the way of carriages, the materials are to be found in India. But it is not in my power to state all the articles which the natives are or are not competent to manufacture: the articles that are in general consumption in India for Europeans or other persons, are so universally known by those that are concerned in the trade, that it will be easy for persons in possession of that information, to judge what may or may not be manufactured by natives under European superintendence.—I think their capacity is equal to the making of any thing that materials can be found for.

(Examined by the Committee.)

Are you of opinion that separating the commercial transactions of British India from those hands in whom the civil government may be lodged, would be consistent with the interests of the British empire in India, and of course in Europe?—The magnitude and importance of that question would require a consideration which I have not been able to give it, so as to answer it with satisfaction to myself; but if my opinion is asked, whether an entire separation of the Company's mercantile and political character would be a means of adding to our security in India,

or adding to the advantages that are to be derived by this country from India, I should say, that I do not think the separation of the mercantile and political character of the Company is compatible with the successful government, or I might say, the maintenance of the English government in India: when I say the commercial character of the Company, I am not aware of the evils that arise from their commercial character, under the regulations and laws that now exist in India; but I am of opinion that a regulated trade that shall have that species of freedom, that a man shall be able to sail his ship at his own times and convenience, would be, in addition to the trade of the Company, a great advantage to India. I should suppose that the regulations which were established for that purpose, under the government of the marquis Wellesley, proved that the trade was extended, and that individual advantage kept pace with that of the Company. I think it will always be desirable that every ship that carries bullion, of whatever nation she may be, should have an opportunity of purchasing the produce of the country, because India possessing no mines, or at least producing very little either of gold or silver, must depend upon foreign commerce to feed the circulation; and if the specie of that country is to be exported to Europe, without such imports to feed it, the consequences must be fatal to the circulating medium of India. When I was at Madras, that subject was very often under the consideration of the government and its officers, and I remember it was my individual opinion, that a remission of duties to a certain extent on all exports should be allowed to the extent of bullion *bonâ fide* imported on such ships; and that arose from a pressure which the public service and individuals experienced from a very great want of specie, without the possibility of extending, to any considerable degree, a paper currency.

Can you form any opinion of the probable proportion Mussulmen bear to the Hindoos in point of number, in that part of the country with which you have been acquainted?—That question it is impossible to answer without a census being taken; where I have had an opportunity of seeing it taken, in the Mysore country, where I should have expected more Mussulmen than in the Carnatic, I think the proportion was thirty-eight Hindoos to one Mussulman; but that varies precisely in proportion to the power and number of the Mussulmen governments that existed in different parts of India.

Do you consider those Mussulmen who have been put down from offices of power and emolument, equally contented with the British sovereignty as the Hindoos?—Certainly not, it is impossible to suppose that men who enjoyed unlimited power, office and emolument, can be equally satisfied with the Hindoos, who more generally derive greater advantages from office and emolument under the English government, though both enjoy as complete protection as it is possible for men to enjoy where laws have not been long established, but which time and experience will, no doubt, improve into greater perfection.

Could discontents to any extent amongst the Mussulmen produce danger to the British sovereignty, as long as the Hindoos are satisfied with the British government?—I have already explained that I do not think there is any bond of union that could be established among them, to induce such an event as is referred to in the question, unless under the circumstances which I have before stated.

If the Mussulmen could induce the Hindoos to concur with them, would the British power be safe?—If the Mussulmen could induce the Hindoo population to rise in rebellion against the English government, it is impossible to suppose that it would not be a very difficult thing for the few Europeans that now hold the power in India long to exist; the extension of the British power in India, though it could not have been gained without the aid of a great European force, was yet attained principally by the aid of our native subjects. During the war of Hyder in the year 1780, I knew of instances of attachment in the native troops which it is impossible for me not to mention; Hyder entered the country with an army of 100,000 men; the army which we had in the field under sir Eyre Coote, amounted to not more than 8,000 muskets, of which not 1,000 were Europeans; all the garrisons in the country of our own were occupied by a few European officers with native troops; Hyder offered very high terms to induce them to secede from their duty; they were frequently from 4 to 14 months in arrears of pay; they were in some instances reduced to the necessity of disposing of their children to obtain the means of their own subsistence, and also with a view to

secure the lives of their children by sending them to those who had the means of feeding them; at this period there were emissaries sent among them for the purpose of inducing them to swerve from their duty; it was at this period they fought the battle of Porto Novo in 1781, which without their aid could never have been fought; such attachment to the government whose salt they eat, which is their common expression, shews, that if they are protected in their religion, their privileges, and their family rights, and that so long as they are so protected, we have nothing to apprehend from any combinations to overset our government. I believe they have no attachment to any form of political power.

April 29th.

The right hon. John Sullivan in the chair.

Charles Buller, esq. a Member of the House, was examined in substance as follows:

Mr. *Impey.*] How long have you been in the civil service of the East India Company?—About 22 years: I was 21 years actually resident in India, at the Bengal presidency, in the revenue department.

Are you of opinion that the natives are a people peculiarly tenacious of their habits and prejudices?—They certainly are, very particularly so.

In the event of a free trade between this country and India, and many Englishmen being permitted to penetrate into the interior, is it your opinion that such permission would be attended with any, and what ill effects, to the peace and happiness of the natives?—I should conceive it to be dangerous; that it would be the cause of much oppression and persecution to the natives; and that it would be prejudicial to the British name, and consequently to the British interests.

Though Europeans are not allowed to purchase land, are they not allowed in Bengal to hold land by leases to the extent of about 50 begahs?—They are; and the same person is allowed to hold several detached spots of 50 begahs each.

Can you state what is about the average rate of those begahs—what is the extent of land they contain?—I understand there are three begahs to an acre.

Have the goodness to state whether those leases are not granted by zemindars?—They are; the lease is obtained first by the settler, and he sends it to the collector, who sends it to the board of revenue, for the sanction of government, for his holding his lands.

In consequence of this permission, have not Europeans the means of building habitations and manufactories, and holding them, up in the country as permanent property?—It is for the express purpose of enabling them to do that, that they are allowed, I believe.

Are there not actually many Europeans settled up the country in Bengal, upon property of this description, such as indigo manufacturers and others?—A considerable number; I before stated two or three, but I would wish to say, that we were in the habit of sending up every board-day at least one application for holding land to that extent.

Have you actually known such licensed Europeans so far misconduct themselves, as to make it necessary for the government to send them out of the country?—I have had to conduct enquiries sometimes into the conduct of those gentlemen, and I think it occurred to me in two instances, within the short space of two months, to recommend, that two gentlemen should be sent out of the district in which they had been allowed to reside. Those came accidentally under my official knowledge: I had nothing to do with the general superintendence of the conduct of those gentlemen, nor with the police of the country; but when any question arose, whether an European held lands directly or indirectly, such questions were referred to the board of revenue for report; and in the two instances I have alluded to, the evidence of their oppression of the ryots was so very strong, that though I do not know it actually came within the scope of our duty to recommend their removal, yet we did as much, which was, to suggest to the government, whether they were fit persons to be allowed to reside in the districts.

In the event of a free trade, if many persons, even with licences, were permitted to go into the interior of the country, do you not think the evil which has already arisen from the misconduct of licensed persons in Bengal, would be probably very much increased?—Certainly, I do; I am very apprehensive of a number of Europeans settling in the interior; I have heard a great deal of oppressions committed by them, and I feel rather strongly on that subject against the measure; a number of Europeans in the country would considerably tend to in-

crease the evil, because I think those oppressions were generally occasioned by the quarrels of those Europeans amongst themselves, and indeed they generally came to light from the quarrels of the Europeans; the natives were not much in the habit, at least to my knowledge, of bringing complaints against Europeans; they were afraid; I only speak from my knowledge as a member of the board of revenue.

Are you then of opinion, that they are likely to sustain considerable injury rather than complain against Englishmen?—In the cases that I have known, as I have said before, the complaints were generally made known in consequence of some quarrel between Europeans: I therefore suppose that the natives were not in the habit of complaining: upon light occasions, certainly not: but a magistrate can speak much better to that than I can; I have never been a magistrate.

Are you of opinion, that if oppressions of the nature above stated, took place in many instances, they might create such a discontent among the native population, as would be dangerous to the stability of our government in India?—If in many instances they took place, I should think that danger might ensue; but it would be a considerable number of instances before there was any actual danger to our empire.

Supposing an unlimited influx of British subjects were allowed into the three presidencies, but under an absolute restriction from penetrating into the interior, is it your opinion that such restriction would prove effectual to prevent persons getting into the interior?—If I were to answer that theoretically, I should say, that I should suppose government could easily prevent it. But judging from what I have constantly seen, I do think it would be very difficult indeed to prevent it. The prohibitions against Europeans entering into the interior are at present very strong, but somehow or other they do contrive to get into the interior, and actually do settle there. In short, I conceive that it much more depends upon the individual character of the magistrate than upon any general laws which government can lay down. An active magistrate will certainly prevent Europeans from entering into the interior, and also will keep them from doing any gross acts of injustice while they are there; but in our service, as in other parts of the world, there are persons sometimes appointed to offices who are not competent to them; and in such cases, the Europeans often do commit great mischief.

In your opinion, would a free trade with India produce any materially increased demand among the natives for European commodities?—I should rather think not; as far as I can judge of the natives their wants are very few, and those very easily satisfied, and where that is the case, with regard to the natural wants, I think they very seldom have many artificial wants.

Have the mass of the population in the Bengal provinces, either the desire or the means of purchasing British commodities?—I do not know what their desire may be; they certainly have not the means; and I should not suppose they have much the desire, because they are content, as I have before said, with gratifying those few natural wants that they have.

Do you think that the more opulent natives in the Bengal provinces have any great wish or taste for such articles, meaning European articles?—I think very little; as far as I have seen, they have a few articles of glass ware, lustres, and those things; but I recollect, in the case of one very opulent man that they were very trumpery kind of articles, and I should doubt very much their having been bought actually at a shop; I should rather think that they were bought at the auction of an English gentleman.

Do the native domestics of Europeans adopt, in any degree, European habits?—None that I recollect.

Does the supply of European articles in India, according to the present system of trade, appear to you to be fully equal to the demand of the natives?—Certainly, I should suppose so, I have generally seen the bazars full of those articles which the natives ever use.

(Examined by the Committee.)

Can you form an opinion what the effect of separating the commercial transactions of British India from those hands, whoever they may be, in which the future government of the country may be lodged, would be, whether consistent with the interests of the British empire in India and in Europe?—That is a very general question: I conceive that it would be presumption in me to answer that by a plain yes or no, when so many intelligent persons differ upon the question; of course, every one who has heard the Indian ques-

tion discussed, must have formed some opinion upon it; and all I can say upon that is, that I am against the separation.

Do you think that, practically, merely a power in the government of India to remove individuals who may go there under a parliamentary enactment, would be sufficient without a positive direction in the act of parliament, that any transgression or evasion of an order from government by any European, should *ipso facto* be followed by being sent out of the country, subject to the remission of that penalty by the government of India?—I think, that any thing which would tend to take away the odium to which government is subjected from the exercise of that very necessary power would be highly desirable.

Are there not tradesmen at Calcutta of all descriptions, such as coach-makers, cabinet-makers, upholsterers, workers in metals, persons employed in casting or making glass bottles, tanning leather, making accoutrements, harness, and all articles for which tanned leather is wanted, shoemakers and taylors?—I believe, generally, there are all those that have been described.

Has not the consequence of this been to have already lessened exceedingly the importation of those articles that formerly obtained vend at Calcutta?—In most instances, I conceive, if not in all.

JOHN STRACEY, esq. was called in, and examined as follows:

Mr. *Grant.*] How long, and in what capacities, have you served the East India Company?—Between 14 and 15 years, in different departments; some time in the judicial department, and the rest as under secretary to government. On the Bengal establishment.—I was in the district of Tirhoot, in the province of Behar; and at Momensing, in the district of Dacca; and at Cawnpoor, in the ceded provinces.

From your experience, can you state, whether, under the system of the Company, the great mass of the natives of India live in a state of comfort and contentment?—I certainly think they do, in every respect.

With reference to the climate in which they live, are they comfortably lodged, fed, and clothed?—Speaking of them as a people in general, and according to their habits and customs, I consider the natives to be as well, as happy, and as contented as any set of people in the world.

Were the trade to India laid open, and British subjects permitted freely, or at least in greatly increased numbers, to pervade the interior of the country, would such an event, in your apprehension, tend to disturb the comfort and contentedness which you have described, or the reverse?—From the different instances I have known, I am certainly of opinion, that great disturbances would be excited amongst the natives by the Europeans, who would, in all probability, be guilty of the greatest excesses.

Is that opinion founded upon any specific experience?—Several different instances have occurred, both with Europeans out of the Company's service, and those in the Company's service, and also in the King's service.—While in Tirhoot, I think there were two gentlemen, at different times, tried in Calcutta for maltreating the natives; one of them endeavouring to extort confession, on the idea of having been plundered; another on the charge of disfiguring some women; both of whom, I believe, were tried and convicted in the supreme court of the offences charged against them.—The disfiguring I believe was, taking off the end of their nose.

Did it happen in procuring from the nose the ornaments they usually wear there?—No, cutting off the tip of the nose; this gentleman was connected with a native female, who, through jealousy, mutilated the women as I have described, to which he was conceived to be an accessary, and was tried for that offence, and was convicted, I believe in Calcutta: I recollect an instance while I was sub-secretary, wherein a number of Lascars, denominated I believe Batta Lascars in Calcutta, the people whose profession it is to navigate vessels in the river, and to load and unload ships; many of those were employed in a ship in the river, the captain of which being short of hands, suddenly set sail and carried them away for Europe; the government, upon receiving information of this, took up a ship for the express purpose, and dispatched it with warm clothing to the Cape of Good Hope, to bring these people back, with the captain also, but whether it was successful or not, I do not know. There were several instances of misconduct also of Europeans, while I was magistrate of the district of Cawnpore. Some of the European soldiers were guilty of breaking into a house of an European trader, which house was defended by some native watchmen, in

which one of the soldiers was killed, and the natives wounded; some of the former I apprehended and sent to Calcutta for trial, but they were immediately acquitted, in consequence of the proprieter of the house not thinking proper to prosecute in Calcutta, the distance being so great.

Were British subjects, in greatly increased numbers, to visit, or to pervade, the interior of the country, is it your opinion that such injuries as those which you have described, or other parallel atrocities, might be materially multiplied?—I certainly consider that great excesses would result; Europeans look upon the natives with a certain degree of contempt; they are often totally ignorant of their manners and habits; and some through ignorance, and some through intention, would be guilty of very great excesses.

You have stated, that in one of the instances referred to, the prosecution was dropped on the part of the oppressed party, by reason of the distance of the supreme court of judicature; is it your opinion that a frequent resort, on the part of the natives of the interior, to the supreme courts of judicature, would be morally practicable?—I believe not; in all cases, however, in which a native complains against an European for any act of felony, or violent oppression, by the present regulations, the expences of the natives, both plaintiff and witnesses, are always paid by the government, in order to enable them to proceed to Calcutta and return.

On the supposition that the offences in question became extremely frequent, would it be possible, coequally to extend that indulgence, through which the suffering parties are enabled to resort to justice at Calcutta?—That must depend, I should suppose, entirely upon the number of cases that would occur, and, consequently, upon the number of Europeans that might be allowed to reside in the interior of the country; if these occurrences were very frequent, the expence to government would be extreme; but I should suppose they would always allow it, as it is their present practice.

In spite of this indulgence, might not the natives in the interior suffer immense inconvenience from the necessity of making a long journey, before they could find the justice required?—Their being taken away from their houses and families and occupations, is a very great grievance; and in many instances they go into a climate and country, of which they are totally ignorant.

Do you mean to imply, that the distance of the seat of justice would be a most serious inconvenience, even were that justice free?—The distance is the greatest inconvenience; for in many instances, I believe it may be extended as far as ten or twelve hundred miles.

Would it be possible, without offence to the national prejudices of Englishmen, to invest the courts of the British magistrates with criminal jurisdiction over British subjects in general?—I think, supposing the magistrate to have the power that he has at present of apprehending, that instead of sending them to Calcutta in all cases short of felony and murder, a remedy might be found for giving the natives redress, by giving the courts of appeal or courts of circuit the power of deciding.

Are you of opinion that the trial by jury could be introduced into those courts?—Most undoubtedly not; I do not think it possible.

In your judgment, would the frequent exercise of a coercive and despotic authority over the persons of British subjects, on the part of the British government, or its public functionaries, in any manner affect the estimation in which the natives generally hold the British character and name?—That is a matter so completely of opinion, that I really do not know exactly how to answer that question; as an opinion of my own, I think it would; but it is merely a matter of opinion.—My opinion is founded upon so very few cases of Europeans, that I can only judge from them; the natives certainly would think an European degraded, by being frequently brought into the court; for the higher sort of natives think themselves extremely degraded by being so brought into a court of justice; and they would attach that degree of degradation to the Europeans, I apprehend, that they do to themselves.

Have you ever known any instances of unlicensed European adventurers wandering through the interior of the country?—While at Cawnpore, I think I recollect one instance of a British subject having absconded from one of the Company's ships on the coast of Malabar across the peninsula, coming into the district of Cawnpore, when the police officer immediately apprehended him and sent him to me; and I, with the authority of government, sent him to Calcutta. There were some other instances; one of a French-

man, who came up to Cawnpore as a trader; he was also apprehended, and by the orders of government sent to Calcutta; a third was an officer, who had been in the service of Scindiah, and wounded at the battle of Assaye; he was, I believe, a half cast, but being in European dress he was apprehended by the police; I sent him to lord Lake, then with the army; I am not perfectly sure whether he was detained by lord Lake, or sent to Calcutta.

You have stated, that you saw at Cawnpore an adventurer who had crossed from the Malabar coast; can you state, roughly, what distance that person must have travelled?—I should think about thirteen or fourteen hundred miles.—He must have come through the country possessed by Holkar and by Scindiah, and a part of the territories of the ranah of Gohud.

In your judgment may the natives of India be described as both an agricultural and a manufacturing people?—Most undoubtedly.

In both characters do they not work far more cheaply than the natives of this country, or of Europe in general?—There is no comparison; every thing is much cheaper, the articles of clothing, and other articles, and their labour is much cheaper; that varied of course in different parts in which I was situated; I think in the Dacca province it did not amount to more than *3s. 6d.* or *3s. 9d.* per month; in Behar to about *5s.*; and at Cawnpore to about *7s. 6d.*

The gains of the labouring classes in general being thus limited, have they the means of purchasing European commodities?—I certainly should think not; I do not see how it is possible.

You have stated the gains of the labouring classes in India as incomparably smaller than those of the labouring classes in Europe; do you mean to imply that the comforts of the former are less in the same proportion?—The native of India, I conceive, is as happy and contented in his situation as any of the lower orders of people are in this country.

Are not the simplicity and frugality of the native habits agreeable to the nature of the climate under which they live?—Yes.

Is it your judgment then, that the cheapness of living and of labour in India proceeds from accidental and precarious causes, or is rooted in the climate, soil, produce, and inveterate usages of the country?—I think it is from the permanent cause of climate and of soil.

In your judgment, is it probable, that under any circumstances, the mass of the natives of India will draw a great portion of the commodities which they ordinarily use from this country?—I do not know that they use any thing in their ordinary use from Europe, except it is some few woollens or broad-cloths, which they may have accidentally got at a very cheap rate.

Are they likely to use European commodities under any change of system which can be adopted?—I should think not.

Do you consider the Indian markets as at present fully stocked with European commodities?—I had very little opportunity of observing that; but from the frequent and continual sales of European articles in Calcutta by auction, the natives had every opportunity of procuring the articles they wished, if they had the means of purchasing them.

Were those articles, in fact, to be had at very cheap rates?—Sometimes I believe they were, and generally, I understood, not exceeding the European price.

(Examined by the Committee.)

Can you form any opinion of the proportion the Mussulmen bear to the Hindoos, in point of number?—In the district of Momensing I made a calculation, as well as I now recollect, of the inhabitants of the district, who amounted to between 16 and 1700,000; the proportion, as well as I could form an opinion from those who attended the public courts, bore about five to three in favour of the Hindoo.

In the upper provinces how does the proportion stand, in your idea?—At Cawnpore I made a calculation of the inhabitants, in consequence of an order of government to endeavour to ascertain the consumption of salt, but the precise number of the inhabitants, or the proportion of Hindoo inhabitants, I do not at this moment recollect; I think the Hindoos are more numerous there, in proportion to the Mahomedans, than they are in the eastern parts of Bengal.

Do you consider those Mussulmen who have been put down from the offices of power and emolument equally contented with the British sovereignty as the Hindoos are?—Most undoubtedly not, for men who have been in the habit of having arbitrary power and authority do not like to relinquish it.

Do you apprehend that disturbance to

any extent among the Mussulmen might produce danger to the British sovereignty as long as the Hindoos are contented and satisfied with the British government?—That depends entirely upon the leader or the individual who might start up; in the upper provinces, a man of ability, whether he was a Hindoo or a Mahomedan, would in those provinces be followed, I conceive, by a great number of both sects.

May 3rd.

Thomas Sydenham, esq. was called in, and examined in substance as follows:

Mr. *Impey*] You have been in the military service of the East India Company?—Yes, I have for 12 years; principally at the presidency of Madras.—I was also secretary of legation at the court of Hydrabad, acting resident at the court of Poonah, and afterwards resident at the court of Hydrabad for 5 years.—I was acquainted with the Persian and Hindostannee languages.

From the circumstance of being acquainted with the languages of the country and from your residence in India, were you enabled to make accurate observations upon the characters, manners and habits of the Hindoos?—From my knowledge of the Persian and Hindostannee languages, and from the habits of transacting business with the natives of India, I have of course been enabled to form some judgment of the manners and customs of all the natives of India; but more of the Mussulmen than of the Hindoos.

Do you think that the Mussulmen are a people that are jealous of any violation of, or insult to, their opinions or institutions?—Certainly; I do not know any description of men who are more jealous of any violation or insult offered to their habits and prejudices than the Mussulmen, from that character of bigotry and fanaticism, for which they have been distinguished, I believe in every period.

Are you of opinion also, that the Hindoos are a people tenacious of their own modes of acting and thinking, and jealous of any violation of them?—I should suppose more tenacious than perhaps any description of human beings.

In the event of a free trade being established between this country and India, were many Englishmen unacquainted with the language, manners, and prejudices of the natives to penetrate into the interior of the country, do you think it would have any, and what, effect upon the peace and happiness of the natives of that country?—If any great number of Europeans, unacquainted with the language and habits of the natives of India, were permitted to roam unrestrained through the interior of the country, I should conceive that the most mischievous consequences would ensue, both to the tranquillity and happiness of the natives themselves, and ultimately to the stability of our government in that country.

Are you then of opinion, that one of the effects of such an influx might be to create discontents among the natives against the British government?—I believe that the principal reason why the natives of India are so well satisfied with the government under which they now live, is the degree of tranquillity and happiness which they enjoy under that government; and if that tranquillity and happiness were violated by the circumstances to which I have alluded in my answer to the previous question, I should certainly suppose that the natural consequence of that would be, to produce a considerable portion of discontent towards the government.

Having resided long in the territories of the Nizam, do you think any ill consequence would follow from such persons, as have been alluded to in the former questions, penetrating into those territories?—I think that mischievous consequences would arise, but of a nature different from those to which I have already alluded; the probable consequence of the introduction of any large number of Europeans into the dominions of the Nizam, would be to indispose the chieftains, and probably the Nizam himself, to the continuance of that alliance, which I conceive to be the basis of our political prosperity in India; the mode in which this would take place would probably be, that such Europeans would be taken into the service, not of the Nizam himself, but of the great jaghiredars, chieftains, and vassals of the Nizam; it would be always easy for the resident to prevent the Nizam from employing any number of Europeans, however small, in his service; but it would be extremely difficult to ascertain what Europeans might make their way clandestinely into the states of the different jaghiredars, who exercise almost an independent authority and jurisdiction over the estates or jaghires which belong to them; and over whom, as the Nizam scarcely exercises

any superior control or authority, it would be of course proportionably difficult for the resident to use any influence, either in preventing them from receiving those Europeans into their service, or prevailing upon them to dismiss them, after they should have so entered.

Having been so long a time resident at Hydrabad, are you of opinion that the treaties with the Nizam would not prevent the entertainment of Europeans by the chieftains and jaghiredars whom you have mentioned?—The power which the resident can exercise, under the stipulation of those treaties, is to call upon the Nizam to dismiss from his service any Europeans against whom the British government may have any objection; and as long as the Nizam is disposed to execute all the stipulations of that treaty, of course there would be no difficulty in procuring the dismissal of any Europeans against whom the resident might object; but the case with respect to the jaghiredars is different in many instances; the Nizam can exercise but a very small degree of authority over those jaghiredars, and the resident has no other power over those jaghiredars, than that which can be exercised through the paramount sovereign of the state; this exists to such a degree, that in one instance, it was necessary for the resident to threaten a jaghiredar with the presence of a considerable force belonging to the Company, before he could prevail upon him to give up some deserters from one of his Majesty's regiments; of course, this expedient was not resorted to, until the Nizam confessed to the resident that it was not in his power to oblige the jaghiredar to give up those deserters, and therefore authorised the resident to employ the means which he had at his disposal, in compelling the jaghiredar of the Nizam to submit to the authority of his own sovereign; in all such cases, it would be extremely difficult, in some cases impossible, for the resident to procure the dismissal of such Europeans, except by the actual employment of a military force; whenever that expedient was adopted, of course, there could be no difficulty in obliging any of the jaghiredars either to give up Europeans, or to submit to the authority of the Nizam in any point.

Do you think that those inferior chieftains and jaghiredars might entertain Europeans in their service without its coming to the knowledge of the resident at Hydrabad?—Very probably; I should conceive it is impossible for the resident, however vigilant he may be, to become acquainted with all the circumstances that take place on the estates of jaghiredars and chieftains, who I have already described exercising independent authority over those possessions; the first intelligence which will probably reach the resident of any Europeans being in the service of any particular jaghiredar, would be the improvement of the military force belonging to that jaghiredar; but they may have remained for some time, and may have exercised a very dangerous influence, before the resident should have received any intelligence of their having been there.

From the knowledge which you have of the tastes and habits of the natives of Hindostan, are you of opinion that in the event of a free trade being established between this country and that, there will be any materially increased demand in Hindostan, among the natives, for European produce or manufactures?—I beg to confine my observations to that part of the peninsula which is generally called the Deccan, that portion of territory which lies between the rivers Godavery and the Nerbuddah: the chief part of the population of that country is Hindoo, especially those provinces which are under the Mahrattah government; there is a considerable population of Mussulmen in the provinces under the dominion of the Nizam; there is scarcely any remarkable place throughout the whole of that tract, that I have not visited during the period of my residence, either at Poonah or at Hydrabad; with respect to that part of the population which is Hindoo, I should not conceive that any change in the system of trade between this country and India, would be likely to produce any increase in the demand for articles of European produce or manufacture; with regard to the Mussulmen part of the population, that portion of it who are agriculturists, have adopted nearly all the habits and customs of the Hindoos; and, with regard to them, the same observation may apply which has already been made respecting the Hindoos at Hydrabad, and some of the great towns in the Deccan; there are many Mussulmen inhabitants, either attached to the court or employed in the military service of the Nizam, who are men of considerable private fortunes, and of habits of expence; it is probable

in this class of the Mussulmen inhabitants, there may be some considerable encrease of demand for the productions of Europe, if by any change in the system of carrying on the trade the prices of those commodities were considerably lowered; but the encrease would be inconsiderable, and scarcely sufficient, I should conceive, to merit the attention of the government of this country; for ten years previously to the conclusion of the last commercial treaty with the Nizam, the average of the imports of European goods did not exceed 24,000*l.* a year; and as late as the year 1809, I could not ascertain that the imports had gone much beyond that sum.

In those parts of Hindostan with which you have been acquainted, have the general mass of the population the means of purchasing European commodities if they were so inclined?—It has appeared to me, that the general mass of the population in every part of India with which I am acquainted, have not the means, even if they had the wish, of purchasing any considerable proportion of European goods; the surplus beyond the supply of their immediate necessities being always consumed in their festivals, marriages, and other religious ceremonies.

Having stated that there are many Mussulmen noblemen of considerable private fortunes at Hydrabad, who might purchase European commodities if they were so inclined; state to the Committee in what manner they are accustomed to spend their superfluous wealth?—All the noblemen at the court of Hydrabad are employed in the military service of their sovereign; they have been bred up either as soldiers or as courtiers, and they expend their fortunes either in keeping up as large a retinue of servants and dependents as their fortune will allow, or consume their wealth in the profligacy and corruption of the court at which they reside; many of the noblemen have expended some part of their fortune in fitting up their houses rather in the English mode; but after the novelty had ceased, they generally returned to their former habits, and seemed to repent of the sums which had been expended in the imitation of our habits.

Is not the Nizam himself considered as one of the most wealthy princes in India?—I believe the Nizam to be the wealthiest individual now in India.

Does the Nizam expend any considerable amount of his wealth in the purchase of European produce or manufactures?—I did not observe that the Nizam expended any portion of his private wealth in the purchase of any articles of European manufacture, except for such woollens as were necessary to caparison his elephants, camels, and horses; the presents which have been made to the Nizam at several periods being quite sufficient to supply him with such articles of taste or luxury as he might wish to have.

During the time you were at Hydrabad, did you yourself make considerable presents of European articles to the Nizam?—I had on one occasion an opportunity of making European presents to the Nizam, to a considerable amount; the circumstances which gave rise to those presents being made, were, that a fourth of the second share of the Seringapatam prize-money was to be paid to the Nizam, and the government wished that the share should be paid in articles of European manufacture rather than in specie; on this occasion, I procured from Calcutta, Madras, and Bombay, such articles as I thought would be most to the taste of his highness; amongst other articles there were a considerable quantity of the finest woollens, two or three services of English china, a complete service of English plate, a service of cut glass, and in short, every article that was likely to captivate the taste of an eastern prince; after having made these presents, I had occasion to inquire to what uses they had been applied, and I found that they had been locked up in what is called toshikhana, or royal magazine belonging to the Nizam: on visiting those magazines, I found that they were filled with every article of European manufacture, in the greatest abundance; I passed through several rooms filled from the floor near to the ceiling, with bales of woollen, with cases of plate, glass ware, china ware, clocks, watches, and every other article of European manufacture, both of France and of England; those articles had been given either to the reigning Nizam, his father, or his grandfather, by the different governments in India, and different residents, both French and English, at his court, as far back as the time of Dupleix and Bussy; and some of the articles had even come direct from Louis the 15th and 16th of France; all those articles had been locked up in the royal magazines, had never been used after they had been first seen; and it is probable that they will there continue for

an indefinite period. Of the presents which I had occasion to make to his highness, the only article of which he made any use, was a silver tea-pot; and I believe every other part of the considerable presents which I had made to him, were shut up in the magazine, with all the other articles that had been there for so long a period; from this circumstance, I conclude, that it is not likely that the present Nizam, at least, will expend any portion of his enormous wealth in the purchase of any articles of European produce or manufacture.

While you were at Hydrabad, a commercial treaty was concluded between the East India Company and the Nizam for the purpose of facilitating commercial intercourse between the countries?—A commercial treaty was concluded between the Nizam and the Company, during the period that I was at Hydrabad as secretary of legation; the principal object of that treaty was, to encourage and facilitate the trade between the Company's provinces and the territories of the Nizam; previously to the conclusion of that treaty, a great number of exorbitant vexatious duties had been imposed upon the trade between the two countries; those duties were collected partly on the frontier, partly on the road between the frontier and the capital, and partly at the capital itself; the objection to those duties was, first, that they were very exorbitant, amounting, in some instances, to nearly 45 per cent.; that they were uncertain in the amount, as many of them were collected by the jaghiredars of the provinces through which the goods passed, and that the goods themselves were subject to great delays, and the merchants to considerable impositions on the part of the officers belonging to those jaghiredars; by the commercial treaty between the Nizam and the Company, the whole of the frontier and road duties were abolished, and one duty of five per cent. *ad valorem* was to be collected in future at the capital itself.

Did the commercial treaty that you have just stated, by the reduction of duties and the removal of the vexatious impediments of trade you have mentioned, increase in any considerable degree in the territories of the Nizam, the demand for European commodities?—The trade between the Nizam and those of the Company in articles of European produce and manufacture was so trifling, as scarcely to be affected by the advantages of the commercial treaty; the principal trade which was carried on between those territories was the supply of cotton from the province of Berar, to that part of the Company's territories known by the name of the Northern Circars; some cotton is also sent to the markets at Vellore and Arnee, and other places in that neighbourhood; the merchants who carry the cotton from the Nizam's territories into the Company's territories, return with cargoes of salt and salt fish, with some of the manufactured cloths of the Northern Circars, and with that kind of muslin manufactured in the neighbourhood of Arnee, called, I believe, the Arnee muslins; it was principally for the purpose of giving facility to this trade between the inhabitants of the respective territories, that the treaty was concluded with the Nizam by the Company.

Is it your opinion, that, according to the present system of trade, the mutual wants of the inhabitants of the Nizam's territories, and those of the East India Company, are adequately and fully supplied?—Certainly; when I left India, it appeared to me that all the wants of the inhabitants of the Nizam's territories were fully and adequately supplied; but those wants were chiefly confined to the importation of salt and salt fish, in exchange for the cotton, which was sent to the manufacturing provinces under the Company's dominion.

Are the cities and large towns in the dominions of the Nizam well supplied with European articles, if there should be any demand for them among the natives?—Not only the principal cities and towns, but many of the larger description of villages, throughout the cultivated parts of the Deccan, appeared to me to be abundantly supplied with all such articles of European manufacture as the natives are generally in want of; and they are supplied by a race of men, who purchase those commodities at Bombay, and retail them over the whole of the Deccan.

State what those articles are which are usually consumed by the natives?—Those articles consist principally of woollens, English chintzes, knives, scissars, razors, spectacles, looking glasses, small prints, and articles of that description, what are called hardware.

Were there any increased demand among the natives for those articles; could that demand be readily supplied, under the present system, either from the India Company's warehouses, or from

other sources?—As the increase, supposing any increase to take place, would probably be small, I should suppose there would be no difficulty whatsoever in supplying those articles to the extent for which any demand might be made for them; and even if the increase should be more considerable than I conceive it likely to become, I should think, there could be no difficulty in supplying them, either from the Company's warehouses, or from the private trade carried on by the captains and officers of the Company's ships. I believe that most of those articles are procured at Bombay and Madras from the public sales at those presidencies, after the ships have left them; the principal part of the investments of the captains of India-men are purchased up by the European inhabitants at the presidencies, and the surplus is generally sold at public auction, and bought by small-dealers, and carried into the interior of the country.

Do you know whether the articles, which you have just spoken of as being sold, by auction at the presidencies, are usually sold at those auctions at high or at low prices?—Chiefly at very low prices; indeed, on most occasions, I believe, considerably under the prime cost of the articles.

Are you of opinion that, in the event of a free trade, there would be any considerable vent for the woollens of this country in the interior parts of India?—In that part of India with which I am most acquainted, namely the Deccan, I do not conceive that any reasonable reduction of price would increase the demand for woollens; the inhabitants of that part of India are obliged to use warm clothing for two or three months in the year. At Hydrabad, and in the provinces to the north of that capital, the thermometer, during three months in the year, is often as low as 45, 40, and 35 of Fahreneit; but the inhabitants are enabled to protect themselves against this degree of cold by the common manufactures of those provinces, the lower classes by a woollen, which is called the comely; and the higher classes by shawls and quilted silks, known, I believe, in this country by the name of [illegible]: a few of the noblemen and military men at the court of Hydrabad, clothe themselves in broad cloth; but it appeared to me more as a fashion or a luxury, than as any habitual common use of the woollens, in preference to the other kinds of warm clothing, of which they are in possession.

Can you state to the Committee, the comparative prices of the comely and any coarse woollen manufactures we could introduce into the country, as a substitute for them?—I really am not able to state from recollection the comparative prices between the comely and the coarsest kind of woollens; I should conceive that the comely is much cheaper and more durable than any kind of woollen that we could introduce into India: the comely is considered to be so comfortable and durable a species of clothing, that most of the King's regiments in India prefer them to the woollen cloaks which their colonels formerly sent out for the use of their regiments; and as this has been done partly because the comely has been found as comfortable, and partly because it is much cheaper than the woollen cloaks sent out by the colonels to their regiments in India, I conclude that it would be impossible to send any kind of woollens, even of the coarsest texture, to India, which should answer the purpose of warm clothing, either so well as the comely, or at so cheap a rate.

State to the Committee the size of the comely, its length or breadth?—I am not able to state precisely the dimensions of the comely, but it appeared to me to answer the purposes of a cloak in walking, and of a blanket at night: I should suppose they might be made about two yards and a half long, though I cannot speak with precision.

Does it appear to you that the more opulent people in India prefer their own woollen manufactures, such as shawls, to ours?—In general, I think, that they admire our manufactures, and are very happy to receive them as presents; but for most purposes, I think they generally prefer their own woollens, and especially their own stuffed silks, which are softer, lighter, and warmer than our woollens.

(*Examined by the Committee.*)

Do you know of any danger that has arisen to the government and tranquillity of India, from the admission of Americans to the principal settlements in India?—As I have lived very little at any of the Company's presidencies, I am really not much acquainted with what has occurred beyond circumstances of public notoriety; but I have never heard of any danger to the Company's government from the occasional residence of the Americans at these presidencies.

Do you apprehend that any danger could arise to the government and tranquillity of India from granting the same privileges to British subjects, that have been granted to Americans, and subjects of other states in amity with this country?—I am not acquainted with the privileges which have been granted to the Americans; but I do not conceive that any danger is to be apprehended from the residence of Europeans, under proper restraint and controul, at any of the Company's presidencies.

Do you know that there has been any intercourse, on the part of the Americans, with the British settlements, further than touching at them in their ships; do you know of their having resided on shore at the principal settlements, or in the interior?—I have never known of any Americans having resided either at the presidencies, or in any other part of India, for any time beyond that which was necessary for the purposes of concluding the business of the voyage on which they came to India.

As you have stated, that Europeans may remain among the jaghiredars without the knowledge of the Nizam, do you conceive such a number could be concealed from him as would occasion any serious danger, either to his authority, or to the interests and security of the Company?—In answering this question, I would beg leave to state the following circumstance: at the period when the French force in the service of the Nizam was dissolved by the last treaty of alliance between his highness and the Company, considerable pains were taken to remove from the Nizam's dominions all the French and other foreign officers who had been serving in those corps; a part of that force was placed under the immediate command of English officers, and employed in the last campaign in the Mysore, seven years after the surrender of Seringapatam. It was reported to me, that some of these corps continued to be exercised in the French manœuvres, and with French words of command; as this naturally excited my attention to the state of the whole corps, I thought proper to recommend to the Nizam, that the corps should be disciplined according to the English system, and receive their words of command in English, in order that they might be enabled to move with the Company's corps forming the subsidiary force. When I had obtained the permission of the Nizam to carry this measure into effect, I sent an English officer to one of the corps to make the alteration which I had suggested; but the sepoys refused to receive the English system of discipline, or to be commanded in the English langaage: the officer attempted to enforce obedience to his orders, and a mutiny took place: this led to the reform of the whole corps; and in the progress of that reform, I detected, and had to send out of the country from 20 to 30 European foreigners and half casts, whose existence in the Nizam's dominions I had before been a perfect stranger to. After that reform I adopted such measures as appeared to me most likely to prevent the recurrence of such a circumstance; and I believe, that with regard to the Nizam's service, it would be very difficult, indeed impossible, for any Europeans to be employed in that service without the knowledge and the sanction of the resident; but the case is different with regard to the jaghiredars; and although I do not conceive, that while the resident exercises a becoming degree of vigilance, and is supported with sufficient authority from the Nizam, that it would be possible for any Europeans in the service of those jaghiredars, to excite disturbances, or to indispose the minds of the jaghiredars sufficiently to become openly hostile and dangerous, still they certainly might lessen the attachment of those jaghiredars to the Nizam, and might indispose their minds towards the alliance with the Company, to such a degree as would at all events be, I cannot say very dangerous, but extremely inconvenient; and in the event of any invasion from an enemy, might be the means of inducing those persons to join the standard of any prince in open hostility against the Nizam and the Company. I think it would be difficult for any large number of Europeans to be concealed for any time in the estates of the jaghiredars, without the knowledge of the resident; but I certainly conceive that a few might be concealed, and for some time exercise a very dangerous influence without the knowledge of the resident. In the event of the Nizam himself being disposed to shake off his connection with the Company, I should then conceive that the residence of a very few Europeans, men of talent, and of desperate habits of life, in the Nizam's dominions, would be productive of the most mischevious consequences.

Do you not conceive that in the districts in which you have resided, the natives

would prefer British manufactures, equally suited to their own use, if cheaper, than those articles they themselves manufacture?—I believe that if goods of British manufacture could be carried into India cheaper than those which are produced in India, many natives would prefer them; but I really am not prepared to say whether the great bulk of the inhabitants would not prefer their own manufactures to those of any foreign country, even supposing the others could be procured at a cheaper rate and equally suited to their consumption: it must be considered that a great number of the inhabitants are employed in those manufactures, and gain their livelihood by those manufactures; and this consideration alone would induce most people to give the preference to their own manufactures, even if they could procure other articles equally suited to their consumption, at rather a cheaper rate.

Do you think these patriotic motives would operate upon the great mass of the district, to which you allude?—I think those motives would naturally operate in a great degree, as long as the price of the foreign goods was not considerably less than their own manufactures; if the price should fall considerably, I confess, in that case, it is probable that the natives would prefer a thing much cheaper, provided it was equally good.

Is the Committee to understand it to be your opinion, that the natives are at present furnished with woollens manufactured in India, suitable to their use, at a cheaper rate than they can be supplied from Europe with the same articles?—Certainly, I conceive that to be the case, though I am not prepared to state the exact difference in price.

What is the number of the principal jaghiredars under the Nizam's government?—It would be rather difficult to answer that question, because, in fact, every military man, who has more than from fifty to a hundred horse in the service of the Nizam, is a jaghiredar.

The number upon the whole, is considerable?—It is. The jaghiredars are of two descriptions; the Hindoo jaghiredars or zemindars, such as the rajah of Sholapore, who possessed those estates from the commencement almost of the first kings of the Deccan, and over whom the Nizam exercises a very uncertain and undefined authority; the other description of jaghiredars, are the military officers in the service of the Nizam, and of those I suppose, that there cannot be less than from forty to fifty principal.

The whole country is under the management, in a subordinate way, of those jaghiredars, of one description or another?—Almost the whole of the country; with the exception only of church lands, what may be called the crown lands, and small parts of the territory which are held by the old Hindoo zemindars. [The Witness withdrew.]

May 4th.

THOMAS SYDENHAM, esq. was again called in, and further examined by the Committee as follows:

You stated in your evidence yesterday, that a commercial treaty had been concluded with the Nizam, while you were resident at Hydrabad; were any measures taken by the government of India to avail itself of the encouragement and facility afforded to trade by that treaty, either by sending goods for sale to the market of Hydrabad, or by permitting private European traders to establish themselves at that capital,—and if so, what was the effect of those measures?—After the conclusion of the commercial treaty between the Nizam and the Company, the government of India was disposed to establish a warehouse at Hydrabad; but on enquiry it was found that such a measure would not be productive of any advantage to the public, and in consequence of the opinion of the resident, that plan was laid aside. At the same time, government caused it to be known to some of the houses of agency both at Calcutta and Madras, that they might send up their agents to Hydrabad, for the purpose of supplying the market at Hydrabad and its neighbouring provinces with certain articles of European and Chinese produce and manufactures. In consequence of this notification, the house of Messrs. Colt, Baker, and Company, did send up an agent of the name of Richardson to Hydrabad for the purpose of establishing a house of business at that capital, and of selling articles of European and Chinese produce and manufactures: I was at Hydrabad when this agent arrived at that capital, but being shortly after compelled to return to England, I was not present to watch the progress of that establishment: On my return, however, to Hydrabad, in about three years after that period, I found that the concern had completely failed; that Messrs. Colt and Baker, the principals, had withdrawn their agent: the bu-

siness, however, was afterwards carried on by another person of the name of Robinson, who in the course of a few months, found it impossible to sell off, to any advantage, the goods which he had procured from Madras and Calcutta, and was compelled to send part of them back to Madras, and to sell the remainder by public auction at very reduced prices; the loss sustained by Mr. Robinson in this transaction was so considerable, that I believe he would have been ruined, if it had not been in my power to procure him a situation under the Nizam's government; as I was anxious to afford every facility and encouragement within my power to Mr. Robinson, and as he stated to me, that he probably would succeed, if a district in the Nizam's dominions were made over to him for the purpose of superintending in person the manufacture of cloths, and other articles, I obtained from his highness the Nizam, a grant for three years, of the very district which Mr. Robinson pointed out to me as the one most likely to answer his purpose; however, at the end of six or eight months, Mr. Robinson, notwithstanding every encouragement and support was afforded to him by the Nizam's government, was anxious to restore the district to the Nizam's authority, and abandoned his speculation altogether. The second instance which I shall mention, is the establishment of a shop for the sale of European goods in the city of Hydrabad: the house of Hope and Company had for some time opened a shop in the cantonment of the Company's subsidiary force; and as some of the natives from the city of Hydrabad resorted to that shop, for the purchase of various European articles, it occurred to Mr. Hope, and to his agent in the cantonment, that it might be advantageous to open a shop within the walls of the city of Hydrabad, so as to enable the inhabitants of that city to have free access whenever they chose to that shop, instead of being obliged, as they had formerly been, to obtain the permission of the Nizam's government to visit the cantonment; as it was my wish to afford every facility in my power to the view of those private traders, I requested and obtained from the minister of the Nizam's government, permission for Mr. Hope's agent to open a shop in the city of Hydrabad; the minister gave him a house, and convenient magazines for the reception of his goods; we gave him a guard to protect the premises, and afforded him every possible degree of encouragement and support; however, in a very short time, Mr. Hope's agent found it impossible to dispose of such a quantity of European goods as would make the concern at all an advantageous one; and the agent himself, in a short time, could sell nothing but wines and spirituous liquors. As the principal object for which the shop was established had completely failed, and as I conceived it would be disreputable to permit an European to keep merely a brandy shop in the city of Hydrabad, where, of course, many disturbances take place from the quarrels of persons in a state of intoxication, I withdrew the licence which I had given to Mr. Hope's agent, and he returned to his former shop within the precincts of the British cantonment. These are the results of the only establishments which were attempted at Hydrabad, for the purpose of increasing the sale of European goods.

How are the troops in the service of the Nizam clothed, armed, and equipped, and from what sources are the supplies procured?—All the cavalry of the Nizam clothe themselves according to their own taste and fancy; the regular infantry in his highness's service is now clothed in red British cloth, in order to render their appearance as similar as possible to the Company's troops stationed within his dominions; they are armed from the Company's stores; and they are equipped with accoutrements made either at Masulipatam or at Madras; since the introduction of the red clothing amongst the regular infantry of the Nizam, the principal jaghiredars have also clothed their troops in the same manner, and this indeed is one of the principal demands for our woollens within the dominions of his highness the Nizam.

What number may the regular infantry be in the Nizam's service, so clothed?—From 12 to 15,000, besides 7 or 8,000 in the service of the jaghiredars.

What, in your opinion, is the general moral character of the Hindoos?—It is really very difficult to give the character of so very large a portion of the human race, who, although they possess many qualities in common, are of course distinguished by strong shades of difference in different parts of India; those shades of difference arising from the climate under which they live; the government to which they are subject; the casts which prevail more in some parts of India than in others;

their habits and occupations, and other circumstances, which in all countries produce a difference in the moral character of men; for instance, the character of the Mahrattas, most of whom have been nurtured and brought up in the exercise of arms, and the practice of war, and in those habits of depredation which is the basis of their political character, must of course be very different from the character of the Hindoos in the more peaceable provinces of the south; again, the character of the northern Hindoos, who inhabit the country between the Nerbudda and the Attock, who are almost all of a military tribe; the cast of Rajpoots and Rajwars, who are governed by petty princes, and divided into small independent states, in continual conflict with each other, have a character very different from the Hindoos of the southern provinces, and even from the tribes of the Mahratta nation: to define the moral character of so extensive a nation, within the compass of any answer which it may be in my power to give to the Committee, will be of course extremely difficult; but I think the general character of the Hindoo is submissive, docile, sober, inoffensive, as long as his religious prejudices and habits are not violated; capable of great attachment and loyalty, as long as they are well treated by their governors and masters; quick in apprehension, intelligent, active, generally honest, and performing the duties of charity, benevolence, and filial affection, with as much sincerity and regularity as any nation with which I am acquainted.

Are the Hindoo women kept in a state of slavery, degradation or seclusion?—I have never observed that the Hindoo women are kept in a state of slavery, degradation or seclusion; I believe that they are permitted to go abroad whenever they chuse upon their domestic concerns, and frequently for the mere purposes of exercise and amusement; they are to be seen in every town and village of the country; they manage the internal concerns of their families; and it has always struck me, that they are treated with great confidence by their relations, and with respect by strangers. While I was resident at Poonah, I had frequently occasion to transact business with the ministers of the Mahratta court, in the private apartments of their dwellings; on most of those occasions I have seen their women, and they have sometimes been present at the transaction of ordinary business between the minister and myself. The only degradation amongst the Hindoo women with which I am acquainted, is the state of the widow after the death of her husband; the widow has the hair of her head shaved, and is obliged to do all the menial offices of the family. I have known many Hindoo women, however, in this state, when her children had not been of age, conducting the business of the family, having the management of the estate belonging to the family, employing agents and attornies at the Mahratta court, and in short, doing every thing in the direction and management of the family which women in similar circumstances in Europe do.

Would it be advantageous that all courts-martial for the trial of natives, should be composed partly of European and partly of native commissioned officers?—I certainly think, that many advantages would arise from this plan being adopted: first, because I have always observed that the natives are much better satisfied with any decision proceeding from an European tribunal, than from a tribunal composed entirely of their own countrymen: in many cases, according to the present system, the proceedings of native courts-martial, are almost entirely directed and regulated by an European officer; if a regimental court-martial, by an European adjutant of the regiment; if a general court-martial, by an European officer employed as judge advocate. During the period that I was adjutant of a native corps, I found it often necessary to exercise my influence in preventing the native members of the court-martial from coming to unjust decisions; they are mostly very illiterate, and perfectly unacquainted with the laws of evidence, and their decision is generally founded upon their knowledge of the character of the prisoner rather than upon the evidence regarding the crimes before them. In some cases, where the evidence is by no means sufficient to convict the prisoner, I have asked, what could tempt them to find the man guilty, and sentence him to corporal punishment? and I have been answered, It is true, the prisoner is not guilty of the crimes now laid to his charge, but he is a man of bad character, a notorious offender, and a slight punishment would, perhaps, prevent him from committing such crimes as are now laid to his charge: secondly, I think the adoption of this plan would be advantageous in accustoming the European officers of native corps, to sit upon regi-

mental courts-martial; an advantage from which they are debarred by the present regulations of the service; it would make the junior officers of the corps better acquainted with the language, characters, and habits of the men under their command, and would prepare them to sit upon general courts-martial, to which they are now very often summoned without the slightest knowledge or experience of that important branch of their duty.

Do you conceive that the Mussulmen are equally contented with the British sovereignty as the Hindoos are?—I should conceive not.

Would discontents to any extent among the Mussulmen produce danger to the British sovereignty, as long as the Hindoos are satisfied with the British government?—I should conceive that considerable danger would arise from any discontent among a very considerable body of the Mussulmen inhabitants of India; at the same time, I do not conceive that the danger would proceed so far as the extinction of our power in India, as long as we possess the attachment of the Hindoos.

Might not such an union be fatal to the British power?—Certainly; if to considerable discontent among one portion of the inhabitants, an equal discontent amongst the other portion be added, so that the whole population of India were discontented, I should conceive that such an union would be fatal to the British interest in India.

Do you apprehend that the late melancholy catastrophe at Vellore affords room to apprehend, that the discontented Mussulmen chiefs might avail themselves of the indiscretion of any persons high in office, on the part of the British government, showing disrespect to their usages, that it might produce similar events as those which took place at Vellore, and which might have more extensive consequences?—If it were possible for me to conceive that what is termed the indiscretion of the European authorities in India, could be carried to so desperate a length as to violate the religion, prejudices, and habits of the Hindoos, I should certainly conceive that the Mussulmen chiefs in India would not have much difficulty in exciting disturbances and insurrections, of which the consequences would be much more extensive than those which occurred some years ago at Vellore.

Are you acquainted with the state of the trades and manufactures that are now carried on under British artificers through the means of native labourers, in the different presidencies you are acquainted with?—I am so far acquainted with this subject as to know, that various branches of manufacture and handicraft have been considerably improved at the different presidencies, especially at Calcutta, during the last 15 years: the European artisans at the three presidencies build carriages, make furniture, plate, and all articles in leather, so good, and so much cheaper than similar articles from England, that they supply many of the Europeans and native inhabitants of those presidencies and at the out stations, with articles which were formerly procured from Europe. The iron and steel work has not been carried to that perfection as to supply the place of those articles imported from Europe: the coach builder there, is still, I believe, obliged to have all those articles from England.

Have not the knowledge and practice of those handicrafts in India, considerably diminished the former import of the same articles from Europe?—I am not able to speak so much from my own observation, as from what I have heard from the captains of the Company's ships, and from them I have heard, that the import into India of such articles, has diminished considerably within the last few years; and this diminution is generally ascribed to the degree of perfection with which similar articles are now manufactured in India.

Having given an opinion of the ingenuity of the natives, how easily they learn any thing that they are shown, and of their sobriety, and their activity, do you or not think it probable, that those handicraft arts which they have been instructed in by British artificers, will, before a long time passes, be exercised by natives themselves; instead of being employed as journeymen, that they will set up in trade for themselves?—I think it reasonable to suppose, that in the course of time, those who are now employed as journeymen will soon become masters.

John Woolmore, esq. was called in, and examined as follows:

Mr. *Grant.*]—Were you ever engaged in the coasting or country trade of India?—I was, from the beginning of 1782 to the latter end of 1787.

Were you ever employed in the marine service of the East India Company?—Yes;

through every gradation of service from a boy to the command.

Since your retirement from that service, have you been concerned in East-India shipping?—Yes; I have been principal owner of seven East-Indiamen.

State in what line of trade you were employed in India?—I had a third of both the ship and cargo, in navigating from Bengal to the coast of Coromandel, during the war in 1781, 1782, and 1783; after that, in a trade from Bengal to the Malabar coast, to Bombay, from Bengal to the Malay coast, west of Sumatra to Batavia round by Borneo to China, from China back to Bengal, from Bengal through the straits of Malacca, to those parts of the Malay coast and China, ultimately back again to Bengal. I have been to the western part of the Archipelago, as far as to the east end of Java, and then crossed to the south part of Borneo, and from the south part of Borneo along the west coast, crossing again to the Malay peninsula, and then to China.

Were you some time in the Company's armed marine?—Never in the Bombay marine; in the Company's general service from Europe to India, and back; but not in the Bombay marine; during the time I have spoken of, I was the commander of a private ship in India, belonging to myself and other gentlemen.

Is that what they call a country ship?—Yes.

During the time that you had the command of that country ship, together with those opportunities which you had while you commanded one of the regular ships in the Company's service, you visited and explored every part of India?—The greatest part of my visiting them was in the country service; voyages to India were more direct.

Did this afford you very extensive opportunities of judging of the general trade of India?—I conceive it did; of the trade of all those ports to which I navigated, certainly.

Did it afford you considerable opportunities of judging of the general temper and habits of the natives?—I think it did, as far as a seafaring man who trades upon that coast is capable of judging.

During the time that you were thus employed in the marine service of the Company, or captain on your own account, was it not your interest to explore almost every port, and embrace every opportunity of pushing European articles into India?—My object, as an owner of a country ship, and as captain of her, was entirely upon a system of trade for my own private benefit, and that of those with whom I was concerned; and as far as my abilities and industry were capable, I certainly took every possible means within my power of ascertaining every kind of article by which I could profit at the ports to which I navigated; and those which I did not navigate, that I could be well informed of by individuals in a similar trade to myself.

State to the Committee what articles of British manufacture you found it possible to vend for the purposes of native consumption?—I must observe to the Committee a circumstance attaching to myself, that I have no documents, and therefore it is completely from my recollection I speak; for all the documents I had of great consequence to myself, were completely lost by a change of house, which I did not know for a considerable time, and could never recover them: the principal articles in the East India coasting trade to the Eastern Islands, consisted of a small quantity of iron, a small quantity of steel, I may say a general small assortment of cutlery; I think I had a little gold thread for the Malays to work into their cloths, and some few pieces of fancy cloths, merely for experiment; those I think coloured on both sides, blue and white, and blue and red, or both.

During that time, were the natives such as you are now referring to, fully and amply supplied with such European commodities as they might have occasion for?—They appeared to me not generally to want European commodities; iron, I did not sell the whole which I had, which was a very small quantity; the finer cutlery I gave away to the superior women, such as scissars and knives and things of that kind, not being generally saleable; the common Lascar knives and some brass wire, were at that time the only articles that were generally saleable upon the west coast of Borneo, or the coast of Malay, during the four years I navigated there; some of the iron I know I carried to China; with respect to the steel, I perfectly recollect the rajah of Succadana, on the western coast of Borneo, telling me, that the steel of Banjarmasseen was considerably better than that which came from Europe, and which I had purchased at Bengal; the general carpenter's utensils which are used on the coast of Malay, are principally of Chinese manufacture.

Did it appear to you that there was a capability of encreasing the export of British manufactures to those ports, beyond what it was in the power of the ordinary country ships to supply?—Certainly I think not, I do not at this moment, with all the information that I conceive I possess myself, as well as that which I have collected from cotemporaries that have been in that country, who were in the service with me, know any amount of cargo that I could take from this country going to the eastern islands, exclusive of money, that I could really produce any thing for on that coast.

If now you were about to freight a vessel to India, except money, you would not adventure any European commodities to those ports?—If I was going myself to that coast now, from this country, there is not 3,000*l.* worth of articles that I could take there, in my idea, to produce any return whatever, exclusive of money.

As far as your experience has gone, was every endeavour made to export every article of European manufacture to those ports?—My navigation was from India, every article of European produce that I could possibly conceive could produce me a profit upon those coasts, I certainly did take from that coast; I took many things upon trial, because I had an inclination so to do; and I had a third of the ship and cargo, the other two thirds were held by two gentlemen, whose constant observation to me was, to try by every means in my power to see what articles of trade could yield profit, whether from India or from Europe.

Did you make repeated voyages to those ports?—I was four years in that trade; I made four voyages from 1783 to 1787; I sailed from Bengal one year in April, I returned again in January; the next year I sailed about the same time again, and returned in December; the voyages were all similar as to their close; I was more or less employed according to the sale of my cargo on that coast.

Of what might your latter cargoes have consisted?—The last cargo consisted of saltpetre, a very large quantity of opium, say 800 chests, I think two lacks of rupees in specie, a small quantity of iron, a small quantity of steel, some brimstone for making powder, and 2,000*l.* worth (out of a cargo of 60, 70, or 80,000*l.*) of assorted piece goods, India manufactures entirely.—That was the leading feature of the cargo, except some trifling cutlery.

After your first voyage of experiment to those seas, did you find the vend for British manufactures progressively increase, or otherwise?—It rather decreased than otherwise in the articles I am speaking of, iron and steel and cutlery, because it did not produce any material profit.

Do you know whether other gentlemen made similar experiments in those seas?—Mr. Brewer, who is secretary of the Bengal government, was a great cotemporary of mine at the latter part of my time, in the trade of the Eastern Islands; I do not know what his cargoes were; but I believe very similar to my own; indeed, all cargoes to the Eastern Islands are very similar; the great article is opium.

Did it appear to you that any increasing market was open in those seas for British manufactures, or that the adventures which took place, furnished them with more than enough for their purposes?—As far as respects myself, the adventures furnished them with more than was taken from me, I do not conceive that there was any opening for the general export of British manufactures, as far as cloths go; I never saw a Malay make use of a woollen; the few pieces of cloth that I took there, I gave away; they were not saleable; there were no purchasers for any profit, and I presented several to the superior natives with whom I traded; one I remember sending as a present to a Malay rajah, who ordered me off the coast because I did not come and trade with him.

Which of the voyages was it that you introduced these pieces of woollen cloth by way of experiment?—It was the last voyage that I took the woollen cloths.

Do you know whether this introduction induced any further demand for those articles?—I never heard of any, while I was in India.

Did you hear of any during your subsequent situation as commander of a Company's ship, or owner of ships?—I touched on the Malay coast in an Indian ship, through the Straits of Banca, and part of the island of Banca; and there I gave some few pieces of keyseymere that I had to two or three Malay girls I happened accidentally to meet with, whom I had known on another part of the coast before, but I did not sell any; I advanced money for tin, to a Malay trader that was collecting it.

Have you reason to think that those pieces of woollen, which you had thus introduced, and given gratuitously for that

purpose, had induced any taste or demand for the thing?—I never heard of any since; I had not any idea at the time that it would, never having seen them worn; I merely gave them as presents to individuals.

You purchased block-tin at Banca?—I advanced money for tin, to a Malay trader that was collecting it, at the rate of 12 dollars per pecul, taking the tin to China, selling it, and being paid for my trouble.

Does not Banca abound with good tin?—I should think so; great plenty has been found there; most of the tin I have collected on the different coasts of Malay, has originally come from Banca.

Supposing yourself a regular merchant in India, and wanting an article of tin, would you send to Banca for it, or obtain it from this country?—Certainly, I should send to Banca.

Do you regard the tin of Banca, as being as good as that produced by the mines of this country?—I am not aware what the Chinese think of our tin, as compared with the Banca tin. I carried out, I believe, the first tin from Cornwall in an East India ship to China; at that time they preferred the Banca tin; at that time, 1788, it was more malleable than the Cornwall tin; it is certainly infinitely cheaper.

Looking to the original cost of the article, and to the respective charges of merchandize, is there a material difference in the price?—I do not exactly know the price of British tin at this moment; but I knew the price of the tin at Banca at that time very well, and I can calculate it at a moment; the Banca tin was from 40 to 51*l.* a ton; 51*l.* I considered a high price; I have bought tin with money at twelve dollars a pecul, at Rhio; I have exchanged goods for it at the ports of Rhio, and at the port of Borneo, at Salengur in the straits of Malacca, at Trengenna, and on the west coast of Malay: I received tin at those places, after selling my goods generally at from 14, never exceeding 16 dollars a pecul; I have sold my opium and my piece-goods and have taken in exchange a return of tin, pepper, and gold dust, at different prices, valuing tin at 15 and 16 dollars a pecul; I have purchased tin specifically with money at 12 dollars a pecul.

At those different places?—No, not at all those places; only at Rhio; at the island of Bintang, the pecul is 133 English pounds and a third, reckoning about 17 peculs to a ton.

About what would English tin have cost you at that time in India?—I think the price was, when I went to India next after that, from 70*l.* to 75*l.* a ton; but never having bought any myself, I speak only from a recollection of the invoice.

What would each be per ton?—I make the Banca 68*l.* per ton, and the English from 70*l.* to 75*l.*, that is taking the Banca at the price at which I exchanged my goods.

What would it be at the money price?—From 52*l.* to 53*l.* per ton.

If the Company had not been desirous of exporting British tin, or had no influence or contract so to do, could they not have obtained the article much cheaper at Banca?—I should suppose they could.

Taking money both ways by that difference you have stated?—Yes; I must observe, though, that the trade in tin at that time with the English was all a smuggling trade, all the tin that Banca produced was engaged by the rajah to the Dutch government, therefore, it was only what he cheated the Dutch of in his deliveries that we were enabled to get, and that through a people called Liots; men who have been on a pilgrimage to Mecca, and who carried on the trade with us, we not dealing directly with the principal; these people carried on the trade there with both parties; they were an intermediate party; the quantity consequently depended upon the exertions of the Dutch officers, in taking care to prevent smuggling.

Supposing the British government to become as favoured as the Dutch, have you any doubt of their being enabled to obtain as considerable a quantity of tin as they would require?—I have no doubt that they would obtain a very great quantity, but whether it would consist of so much as they required for their China trade, I cannot say; I could give you an idea of the quantity of tin smuggled in the way I have spoken of which British ships carried to China.

Is it a place that abounds with tin?—I really cannot tell the quantity that Banca produces; I have no means of exactly knowing.

The Company at present do not carry Banca tin to China?—They do not, I believe.

During the time that you were a commander of one of the Company's ships, taking the adventures of yourself and your officers as well as the general export,

at that time, was it perfectly sufficient for the wants of India in respect of East India articles?—I was a commander specifically for China, of a ship from this country.

Did you in any other capacity go from this country to India?—As an officer I went several times to India.

Did it appear to you whether or not there was a full and ample supply of European articles, to the extent of what was required?—I do not think at that period there was.

What period do you refer to?—I refer to the years 1766, 1768, 1770, 1778, 1779, and 1780.

According to your knowledge and experience, has there been since that period a sufficient supply?—The only means that I have of knowing, since I quitted the India service, is by being the private agent of the commanders who had been in my employ; they had for the last five or six years decreased their usual investments, from 8,000*l.* to 2,000*l.*, that would lead me to suppose that India was plentifully supplied.

These gentlemen have the advantage of exporting their adventures freight free, have they not?—Yes, they have.

Were you understood rightly in supposing that the principal British manufactures that you took to the Eastern Islands in your more recent voyages consisted of coarse cutlery?—The only European articles of British manufactures was iron (if it was British iron,) steel and a very small quantity of fine cutlery; certainly the greater quantity was coarse cutlery, consisting mostly of Lascar knives, and a very small quantity of wire.

Did you find those equal to the demand?—Perfectly, at the ports that I was at.

Looking to the great difference in the price of labour between India and this country, do you think it likely we could manufacture those articles which the natives wear or otherwise consume, cheaper than they do themselves?—I really do not know; the people in the Eastern Islands prefer the cloths manufactured by themselves; I speak of the Malays, they wear their own cloths in preference; they do wear our coarse cloths that are made in India, but in no great quantity; I can only speak as to the relative proportion of my own cargo; in a cargo of 70 or 80,000*l.* consisting of opium, money and piece-goods, the piece-goods were only to the amount of 2,000*l.*

And they were of India manufacture?—Entirely; consisting of coarse cloths of various kinds; one part I know were handkerchiefs that the Malays wear round their heads, coarse white cloths that the women wear as badjees, to support their necks; but their principal clothing is their own manufacture in their different islands; and it is of a very strong texture.

Such articles as they do wear, do you apprehend that we could manufacture them, and send them out as cheap as they obtain them from their own, or from Indian manufacture?—They could obtain them I believe as cheap, but they could not obtain them so good, as far as abstract price goes; but their preference is to their own cloths over our Indian cloths; it is only the cheapness of our Indian cloths that induces them to take them at all; how far there is a difference in the price of the Indian cloths and our cloths, I cannot tell.

Supposing some degree of illicit trade to have been carried on by officers of the Company's ships, what effect do you apprehend that paying them stipends instead of allowing them to trade, would have upon the revenue?—That is a question I have never looked at: but as far as the idea strikes me at this moment, if a man is inclined to smuggle, I do not conceive an alteration in the mode of remunerating him would prevent it. I am looking to remuneration being in proportion to his advantages now; the only practical fact that I can bring to my recollection as to the operation it would have upon men's minds, is this: I think the Company were in the habit of paying their commanders and officers of their packets, instead of permitting them to trade; and I have some faint idea in my mind, that a captain of one of their packets was dismissed for trading against that regulation; it was not smuggling homeward, it was trading outward.

He traded against their regulation?—Yes, that they paid for not trading; a circumstance happened to myself the last voyage to the coast of Malay. My officers were paid very liberally, in lieu of having any trade whatever; I was extremely teased, and I did allow them some small adventures in articles that I called chandler's-shop articles, that I did not exactly trade in myself; yet they exceeded my allowance so greatly, that they were completely unsaleable. I had myself, never one iota of cargo distinct from the concern in which I was.

Notwithstanding you allowed your officers stipends, upon condition they should not trade, you found it impossible to prevent it?—Certainly I found it impossible to prevent their getting the things on board; but I completely prevented their getting them on shore, without my knowledge; nor could they be sold, nor were they sold on the coast of Malay, there not being a vent for the quantity they had; they were afterwards exchanged by myself at China to the chief officers of an Europe ship, for European articles to carry to Bengal; for, as I dismissed the men, I did not choose to punish them beyond it.

The officers in the Company's maritime service are universally more or less traders, are they not?—They are, I consider. Every youth I have brought up in the Company's service from a boy, I have endeavoured to instil into him that his object in the India service is principally trade; and I have never sent a youth under my patronage to sea in his first voyage, that I have not supplied him with from forty to fifty pounds of trifling European articles, and given him instructions how to conduct himself with them, and to change them at the intermediate port, so as to give him ideas of trade.

Do you attribute any great proportion of the export trade to India to the zeal and interest with which commanders and officers have thus prosecuted their private adventures?—I think that the officers and commanders of East Indiamen carry out as many goods as they possibly conceive there is a market for.

Have you any personal interest whatever, whether the trade to India is open or not?—I do not think there is an individual in this country who has less interest in the opening of the trade than I have, as far as I can judge of my own feelings.

(Examined by the Committee.)

Have you any interest in the trade continuing as it is at present?—I have no interest in the Company beyond the stock that I possess in it as a private individual; I believe there is not an individual existing who has less interest in the trade one way or another; I am not a ship-owner or a merchant; I do not intend to be while the shipping is carried on as it is; if it were otherwise, I might be; but I cannot make common interest of my money, and therefore I live upon what I have got.

Having mentioned that your purchases of tin to the eastward were confined to such quantities as the rajah would cheat the Dutch government of in their contracts, it is presumed the Committee is to infer that the Dutch government made a monopoly of the tin belonging to the rajahs under their influence?—As much as ever they could.

Have you heard that this monopoly is continued by the English government?—No, I have not heard any thing upon the subject, good, bad, or indifferent.

Have you ever been at Palambang?—I have been at the mouth of Palambang river, but never up at Palambang itself.

Do you know whether the rajah of that place had a contract with the Dutch government for the supply of tin?—I have understood he had, and a part of the tin I got at Rhio I have great reason to believe came from Palambang.

Have you heard that the rajah of Palambang wished to decline continuing this contract for tin with the English government?—Since we had possession of Batavia I have not read one iota about it; it has not been the subject of conversation with me.

Is it not usual for commanders and officers of the Company's ships to sell their goods by the invoice in India?—When I was in the service, there were two modes of selling investments; the one was by invoice, the other by retail, and a third sometimes by public auction.

In framing the invoices upon which the investments are disposed of, is it usual to deduct the drawbacks, or to make allowance for discounts?—I have heard of salt water invoices (for that is the term) being made; I declare before this Committee, that I never in my life did such a thing.

Are not such practices usual?—I have heard of such things, but I have always understood and thought that they would carry with them their own punishment: because the persons who are in the habit of purchasing our investments in India are perfectly well acquainted with the general prices of such articles in this country: I have been shown in this country, when I was commander of an Indiaman, manufactures deteriorated here with the same appearance at a cheaper price, but I never took such a thing, because I never considered it my interest to do so.

Is it not usual for the commanders and officers to make purchases of goods for their investments here, at a credit of one year and sometimes two?—Yes, I believe it is; as to the individuals with whose

concerns I have had the management, I have never known them to exceed eighteen months credit.

Does not that mode of purchase make a most material difference in the price of the articles?—There are invariably different prices: when I purchase lead for money, or any article for money, there is a specific price upon it; if I purchase it at six months credit, there is a specific price; this was the case when I was in the habit of trade; a twelvemonth's credit was at a different price; I remember, for instance, lead that I purchased was 18*d.* per cwt. more from the credit of, I think, nine months or six months than the ready money price; the credit price always bore a greater proportion of interest than the real interest of the money.

No deduction is made from the invoice in such cases whether the goods are purchased at a credit of from 12 to 18 months, is there?—I can only answer that question by what I have done myself, not knowing how others transact their business; when I sold by the invoice to a merchant, I put every thing before him as it stood, and he gave me 100 per cent. or 20, or 30, or 40; in one instance the charges were higher than the merchants thought they should have been; and they deducted so much, in consequence; they were higher perhaps from my inattention, or the exaction of the individuals with whom I dealt.

Have you ever made any deduction, or is it usual to make any, from the invoice, on the score of such increased price, in consequence of the long credit?—I can only answer the question as I have done personally, I really do not know what others have done; when I sold by invoice, I have *bona fide* put before the persons who purchased it, who were Williams and Taylor at Bengal, when I was there, exactly the invoices as they were sent to me.

Is it usual to make any deduction on the score of interest from the increased price, in consequence of the goods being purchased at a credit, instead of being paid for in ready money?—I can only answer that personally, not knowing what other persons have done; in the early stages, my mode of purchasing the goods, was to give the merchant half credit and half money; the latter part of my transactions as a captain, I had money for every purpose, and every individual thing was purchased by money, consequently, so far the investments that I sold at China do not apply to the question, because they were not sold by invoice; my investments as an officer, to which it applies personally, I declare most sacredly, the whole case appeared in my books: the bills of parcels from the individuals were put before them, with every iota of discount and charge of merchandize, and every expence that took place; I never conceived it possible that I could gain any thing by any other mode; because I considered from the early part of my life, that the most direct and honourable and lucrative mode was to be explicit upon all occasions.

Then is the Committee to understand, that the advance of 100 per cent. which you have mentioned upon your invoice, or whatever it might be, was calculated upon the rates charged by the persons who sold you the goods here?—I really do not recollect at this moment, whether it was 100 per cent. that I received, or 120, there being some deduction for the charge of merchandize; I have mentioned my agreement; for my investment was with the gentlemen at 120 per cent. or 100 per cent. I laid my invoice book before them, and whether it was upon the gross amount, or whether it was upon the abstract, taking the charges and discounts from it, or not, I cannot possibly at this moment say.

Do you know what discount is usually allowed for paying in ready money, or what is the difference in price between the ready money rate, and goods purchased at a credit of 12 or 18 months?—I really do not know; but at the time that I was a merchant, I found, as I mentioned before, eighteen-pence per cwt. difference in the purchase of lead, that I calculated to bear a proportion of 7½ per cent. to five; that if I took credit, I paid 7½ per cent. instead of five for that credit; that I paid, upon the average, 2½ per cent. depending upon the time of credit, and as the credit time increases, so the credit price, I conceive, would increase also: I have heard of discounts to the amount of 10 per cent. being allowed by ship-builders to ship-owners, but I never met with such a thing in my life; never in any instance did I get it; the individuals never felt themselves warranted in the prices that they have charged me, in allowing me to do it; I have certainly tried it, saying I have heard of such things, but I never had it allowed.

Do you, in speaking of sale-water invoices, allude to those invoices which have not the discount and drawback deducted

from them, or to invoices made out at false prices?—The true character, I think, of a salt-water invoice is, that in which a greater price is charged for the goods than was actually paid for their goods.

Without its appearing upon the invoice?—Of course; I conceive it to be the copy of an invoice with additional prices put to it, made at sea.

Do you not know that it is the practice for the Company so to make out their invoices of exports, by adding a 10 per cent. to their invoices which does not appear?—I never heard of such a thing in all my life, nor I never heard it surmised; it is the first instance in which I ever heard of such a thing.

Have you ever had occasion to settle with the honourable Company, either through their government abroad, or their directors at home, for short deliveries of goods?—I have certainly in both cases, but in a very small degree; indeed I never looked to the invoice, the officers in the department, to which the goods applied, gave me an account of them, with a charge of 30 per cent. (I think that is our agreement as carriers) upon that price, whatever price they charged me; I had so little idea of there being any addition beyond the real price they paid for them, that I never looked to it; I know, in China, that their bale goods have generally passed from the ships, and from myself, when the supracargoes have not been at Canton, to the Chinese merchants, without any inspection or look whatever: I have delivered cargoes personally in China of my own, without either weight or measure, merely as I had received them, upon the faith of having done so; the pieces of lead, of course, are numbered, but their bale goods I have delivered myself to the merchants respectively, according to their order, without any examination whatever, except as to appearance, whether they were damp or wet.

What is the alteration that took place in the management of the Company's shipping, which determined you to give up all connection with it?—The cheapness of the freight, and the mode in which they are principally supported; namely, I consider them owned chiefly by the patronage.

What do you mean by owned chiefly by the patronage?—The competition has brought freights so very low, that in respect to the individuals who have been brought up in the service, who are looking to commands, their friends are generally obliged to get a certain number of owners to enable themselves to be employed; as for instance, myself, if I had a youth that I wished to get the command of an Indiaman for, instead of giving him 5 or 6,000*l.* and allowing him to run about, I sacrifice that money in tendering a cheap ship to the Company, specifically for the patronage of that command.

Are you speaking of the extra ships now, or of ships generally?—Of the ships in the general regular service.

Is the Committee to understand that, in point of fact, the rate of freight paid by the Company has been cheaper than could be afforded by the ship owner, with a reasonable and proper view to his own profit?—Certainly; I consider the abstract point of freight of the Company, both in their extra ships and in their regular ships, under the circumstances in which they are sailed, as cheaper than any private individual can get freight, under similar circumstances.

Are you speaking here generally, as to the freight of a ship going to India, or the freight of a ship going under the particular circumstances attaching to all ships sailed under the Company?—If I comprehend the question, I mean to say, that I could not send a ship to sea under the same circumstances as the Company do, by myself, so cheaply as the Company get their freight.

What are those circumstances?—Goodness of ship, goodness of outfit, being properly commanded, officered and manned.

Any thing as to the nature of the voyage or the delay, sailing at proper times, and so on?—I look exactly to the same circumstances applying in both cases; but if the questions have a reference to my examination four years ago, the circumstances are not exactly in point at this moment, as they were then; the Company at that time did not appear to me to give a facility to the movements of extra ships which they have done since.

Explain the difference of the circumstances to which you are now alluding between the present period and that?—The Company at that time seemed to divert the ships that they had in the extra employ, out of the implied condition under which I thought I built them; that is, instead of being sent direct, they were sent circuitously upon services that did not appear to me exactly consistent with the implied ideas that I had set out with them,

that is, they were diverted on several occasions from that immediate carrying service, directly backwards and forwards, which, I think, they certainly have since remedied; but, at that time, I did not think any British ship owner, except under similar circumstances to myself, could have supplied ships cheaper than I supplied them; I was not looking to profit as a ship owner, I was looking not to the exceeding five per cent. for my money, I was looking to great pleasure in active industry, it affording as much delight to me to manage ships, and to have to do with them, as any fox-hunter can have in the chase; so far I think it impossible for an individual to have given the Company cheaper ships for extra ships, than I had given under those circumstances; I cannot give them now from circumstances being different; I cannot afford so much below the 5 per cent.; I cannot find a mode of making any interest whatever for my money, and I cannot exist without it.

Supposing the trade to India to have been opened to all merchants with a licence to trade upon their own account, between this country and our settlements in India, what would have been the terms in the rate of freight at which, as an individual merchant, you could have fitted out a ship, and the rate of freight at which you have supplied ships to the East India Company?—I do not see how it was possible for me, as a ship owner, to have fitted out any ships, strictly speaking, cheaper, under similar circumstances, than I did.

Is not their outfit superfluous; might not private merchants go with ships less expensive?—As a private merchant I might have carried those ships out in a certain degree cheaper than I could through the regulations of the Company: I do not think the rate of freight would have been cheaper than that at which I supplied the ships, because I supplied them under an implied idea, that that system would have been carried into execution: when I am speaking of the expence attached to those ships arising out of the system, there were some which I did not expect would have been, and which I had been, and the persons with whom I was connected in bringing forward those ships, had been given to understand should not be so applied; I conceived that when an extra ship, such as those, was going directly to India, making the voyage in ten or twelve months, it was not necessary for that ship to go into a dock, to be pulled to pieces to be examined for defects which never could exist, if she was a good ship at first, and which I call unnecessary: but it did not apply in my case, because I tendered those ships under the implied idea that they would be superior West Indiamen, that they would not have been pulled to pieces, having in my head exactly the plan that they would have gone out, and made a certain number of voyages in a specific time, that they would have come home at that time; that they would not have been pulled to pieces, though I would have looked at them: in the room of which they were put into dock, their masts were taken out, and they were stripped, and an expence incurred of 2 or 3,000*l.* for what I did conceive no material benefit, under such circumstances that would not have applied to have reduced the freight, because I tendered the ship under that implied idea.

The rate of freight at which you supplied the Company with the extra shipping in which you were concerned, was not greater than it would have been, if as an individual merchant, you had been fitting out a ship good enough to go to India and back again?—The body of the ship, the principal part of the ship, would have been exactly the same, the masts and rigging would have been the same, the anchors and cables would have been as good; for I hold it not economical to save in those respects; I do not think she would have been a bit worse, it would only have been altered in respect of docking and repairing when I considered necessary.

Inform the Committee about what quantity of tin means were found to smuggle from Banca, while it lay under the Dutch coercion?—I should think the last year, that I had an opportunity of forming any judgment, nearly 500 tons.

Can you give any probable opinion of what might be the quantity which might be got from Banca, the Dutch coercion being removed?—Looking at what the Dutch ships brought to China, with what the country ships in the trade in which I was, and the Chinese junks, which collected it from the same source, I should think that there went to China altogether about 12, 13, or 1,400 tons of tin from the different sources; and I should think the greater quantity came from Palambang and Banca: there are places in which small quantities of tin on the Malay coast

are got, which do not come from Banca, called Perhaing.

What quantity do you conceive might be now obtained from Banca?—I can form an opinion only from what the Chinese junks collected, what we collected, and what the Dutch government collected; which may be from 1,000 to 1,200 tons, or more.

Are you acquainted with the fact, whether copper may not be got from Japan cheaper than it can be imported from England?—I really do not know; I know nothing of the Japan trade; I have seen Japan copper, but I do not know any thing about its price.

Are you acquainted with the state of the manufactures by British artificers, through native labourers, at the different presidencies?—Generally, I am not; I know some little of them.

From your knowledge of the Chinese seas, do you or do you not think that cargoes of tea may be got through Chinese junks, if any considerable number of vessels from Great Britain go into those seas? —I think any quantity of teas might be got in any part of the Eastern Islands, provided the individual merchants from this country sent orders to agents that are in China; or through any agent that he may send orders to, he may get teas in Chinese junks down to any part of the Malay coast.

Smuggled?—No, taken in as a regular cargo by the Chinese junks.

Might not establishments proper for preparing such cargoes be made in safe places in those seas, if the parties were so disposed?—I do not know what places are referred to, tea may be had through country-ships from China.

If numerous vessels of 350 tons be admitted into those seas, and if disappointments should occur to the commanders of those vessels, do you or do you not think it possible that amongst the number of vessels that go there, some might endeavour to execute such an enterprize, as making establishments in some parts of those seas for the purpose of procuring tea, there being no controul of revenue establishment in those seas?—I hardly think they could form any such establishments there without the knowledge of the government in India or of the supracargoes in China.

What controul can be had over ships going to places where there is no controul? —I conceive our navy has the complete controul of those seas while we have Batavia, and that it is impossible for any establishment to be formed in any of those islands without the knowledge of the different governments of India and China; but it is not necessary for the purpose of procuring tea that there should be any establishment, they may get it from country ships, or through Chinese junks, but previous orders must be conveyed to China for that purpose; it is not a trade generally carried on by the Chinese junks to those places.

May 5th.

THOMAS SYDENHAM, esq. was again called in, and further examined by the Committee to the following purport:

May it or not be naturally expected from the ingenuity of the natives of India, and their application to every thing by which they may make a profit, that they will arrive at such a knowledge and perfection in those handicrafts which are there practised, as to make all those articles on their own account, and by underselling the British artificers, whose mode of living is so much more expensive, and who having come to India to make their fortunes, will not sell those articles at so small a profit, drive them out of the country?—I think it would be at least a considerable period before the natives can set up manufactures or handicraft that will rival or become superior to those established and carried on by Europeans; but it is certainly probable, that in the course of time, the natives will arrive at such perfection in many of those trades, as not to render it worth the while of European workmen to remain in India; certainly not as a source of wealth to be carried back to England, but probably as sufficient to induce them to remain altogether in India, for the purpose of carrying on their trade in India, rather than in England.

Having informed the Committee that the workmen of the country are so apt, and so ingenious, and that there are some natives that have capital, will not those natives who look after profit, set up those trades which have been learnt by the other artificers, and probably execute that purpose in a short time, and materially diminish and ultimately put an end to the import of most of the articles from England, of which the materials are found there?—I believe that it will be a considerable period before any native workmen can be made equal to the European workmen; in many cases, it is found cheaper to employ an European workman, although his wages

are considerably greater, than those of a native, partly on account of his possessing his trade better, and partly because the robustness of their frame enables them to go through a great deal more work than can be expected from any native; I also think, that in cases where an European and a native have sufficient capital to employ in any of those trades, that the European, from his superior science, ingenuity, and industry, will generally get the better of the native; there are some trades, particularly those in steel and in iron, which I believe, in consequence of the climate, can never in India reach that degree of perfection which they have reached in this country; such I know to be the opinion of the officers of artillery employed in the ordnance department; and the same as to the coach-makers at Madras and Calcutta.

You make that distinction, that those handicraft trades that require great strength of muscle, such as working in forges, may not be carried to that perfection in India by native workmen, but all others that do not require that robust frame, and that require only ingenuity, application and sobriety, which it is understood you have attributed to the natives superior to the British, may it not be expected, in consequence of that, that the importation of such articles may materially decrease?—Although I am willing to allow, that the natives of India are superior to the Europeans in sobriety, I do not recollect to have stated that they were superior in industry and ingenuity; it must also be recollected, that although the natives of India are ingenious in imitating any thing that is placed before them, they are generally incapable of making those improvements in the several branches of handicraft trade that appears to be always in a progressive state of improvement in England; some improvements may originate in India from the European trades-people; and such as have taken place in the mother country, will be immediately followed by European artisans in India, of course, these improvements will gradually and slowly find their way among the natives; but as they will commence among the Europeans in India, this cause appears to me sufficient to secure to the European artisans in India, uniform superiority over the natives employed in similar trades.

Must not those natives who are employed under those British artisans learn all those improvements, whatever they may be, that are exercised by those British artisans, those now in use, and those that may hereafter be brought from Europe?—As long as the natives continue to be employed by the Europeans, they will certainly adopt the improvements that may be made in any of the trades; but the question which has been put to me, rather refers to natives setting up establishments of this kind with their own capital, and not employed as journeymen by European masters.

The question refers to those natives who have learned the improvements at present in use in India, and who will naturally learn whatever other improvements are introduced. Will not natives who have capital employ other natives who have learnt all those improvements, and will they not be able to make all those articles so much cheaper as to undersell the English?—I believe that in almost all cases, the native workmen would prefer being employed by European masters than by natives, partly because they will be more regularly paid, and partly because they would have the means of learning their trade sooner and better than under native masters.

Are you sufficiently acquainted with the materials produced in Hindostan, to know whether nearly all those produced in Europe may not be produced there, except British wool?—I have already stated, that I do not think any of the manufactures in steel and iron, with the exception of swords made in a particular part of India, can be brought to that degree of perfection which now exists in England; and I am not acquainted with many other articles of manufacture in which any rivalry could take place, except in such articles as carriages, and in the tannery line, that are consumed principally by the European inhabitants in India.

You have mentioned, that in the houses of the higher Mussulmen, many articles of European manufacture were to be seen; do you know whether those articles were wholly purchased by them, or whether they were presents on the part of the British?—I believe that the greater part of the articles of European manufacture to be seen in the houses of the higher classes of the Mussulmen at Hydrabad were purchased, and not presents.

The comelies being so cheap, and having been represented to be in many respects more useful, is it probable that British red cloth can come into general use

among the mass of the natives?—I believe, as far as I am acquainted with the subject, that it would be difficult, if not impossible to introduce into India any species of woollens, either red cloth, or cloth of any other colour, which would be cheaper, and more useful than the comely.

Have not Europeans, in point of fact, penetrated clandestinely into the interior of India?—I believe that many individual Europeans have succeeded in penetrating clandestinely into different parts of the interior of India.

Is it not your opinion, that going one or two together they might penetrate, when, if they attempted to go in bodies there would be a moral certainty of their being stopped?—One European endeavouring to penetrate into the interior of the country, is liable to detection; and, of course, it would be almost impossible for any body of Europeans to travel through the country without immediate detection.

Is it not probable, that in case a desperate, or turbulent, or intriguing European might have a strong interest to get into the interior, he might succeed, notwithstanding any restrictions that might be devised in those parts of the country which are under British influence?—I certainly conceive, that any one European, whatever be his character, who is acquainted with the language of the country, and with the roads over which he is to travel, by disguising himself and travelling in the night, could at all times pass through the country, without incurring any considerable risk of detection, even through the Company's possessions.

Supposing the foreign settlements, that is, the settlements belonging to the Dutch, Danes, and French, were restored to those several nations, are they not at present surrounded by the British territories, and, of course, is it not nearly impossible for them to penetrate into the country, if the British police do their duty?—Those settlements are certainly surrounded by provinces under the British government; and although it would be difficult for any foreigner, and particularly if he was unacquainted with the language of the country, to penetrate through the Company's provinces, I still think, a single European, acquainted with the language, and being able to avail himself of the disguises under which he may pass through the country, may escape detection.

Do you imagine or not, that Englishmen, considering Hindostan as their empire, and who may go there under parliamentary enactment, may not be more liable to commit irregularities and violences against the natives than any other foreigners, who will find so much difficulty in going into the interior, and being permitted to remain there?—I have always observed, that Englishmen are more apt than those of any other nation to commit violences in foreign countries; and this I believe to be the case in India, as in every other country foreign to England; it is also probable, that the foreigners, living, as it were, under sufferance in India, would be less liable to insult the natives than an Englishman, considering India as part of the British empire.

Do you consider that, practically speaking, if British subjects go to India under a parliamentary enactment, it may not be necessary, considering the odium that attends the magistrates, and even the supreme government of India, sending British subjects or Europeans out of the country, also to make a parliamentary enactment in order to strengthen the hands of government there, that any irregularities or violences committed by them against the natives should be, *ipso facto*, followed by a removal from the country, subject to that being remitted by the governor-general?—I think that, in every case, it would be absolutely necessary to invest the local government of India with the power of removing from India any British subjects who may be guilty of violence and improper conduct.

Has not the supreme government in India that power at this moment?—I believe it has.

You mentioned in the course of your examination yesterday, two instances, and the only two within your knowledge, of merchants, or rather shopkeepers, proceeding to Hydrabad in pursuance of a plan and object which the government in India seemed to have in view, for the extension of the sale of European manufactures; do you know whether the merchants who reside in India, chiefly at the presidencies, commonly resort to the interior for the purposes of their trade, when not sanctioned or encouraged by any particular object on the part of government? —I believe that it is the general custom of all houses of agency, and other traders, at the different presidencies in India, to employ native agents in conducting their commercial transactions in the interior of the country, the method usually pursued

being to have a confidential native agent belonging to the house, who is generally entrusted with the selection of other native and subordinate agents in carrying on all their commercial transactions in the interior of the country.

Is it not found by experience, that this branch of the trade of India is generally carried on better and cheaper by native agency?—I believe that the mode above described has been universally found to be at once cheaper and more efficient than the employment of European agents for similar purposes.

Under these circumstances, do you conceive that any new traders repairing to India, under the proposed opening of the trade, could have any particular motives for going in any numbers into the interior, seeing that the interest of such traders and merchants almost constantly confine them to the presidencies and principal seaports?—I should conceive that all new traders going to India, who understood their own interests, and were willing to be instructed by the experience of those already established in trade in India, would prefer the employment of native agents in the interior, to European, and that therefore it would not be very probable that the establishment of any number of houses of business at the presidencies and the principal sea-ports, would lead to the employment of European agents in the interior of the country.

You are understood to have stated in a former part of your examination, that the Americans who repair to India for the purposes of trade, have not settled to your knowledge, either at the presidencies in India, or have penetrated into the interior, but have appeared merely as port traders; this being the ordinary course of carrying on the trade on the part of the Americans, may it not be expected from the intelligence of British merchants, that they would observe a similar course of proceeding?—In answering the question which has been alluded to, I stated to the Committee, that I knew nothing respecting the American merchants and traders from my own personal observation; but from never having seen any Americans settled at the presidencies, or having met them in the interior of the country, I believe they are known in India merely as port traders; and I should conceive, that as there would be no necessity for British merchants to deviate from a system which has hitherto been found adequate to all the purposes of commercial intercourse with the interior of India, they would probably follow the example of the Americans, and not employ European agents in the interior of the country.

Have the goodness to state to the Committee, from your knowledge of India generally, and particularly of the climate, whether you think Europeans could travel into the interior of the country, without exceedingly great inconvenience and risk, unless they had a suitable conveyance, and accommodation for the purpose, such as a horse, palanquin, tent, &c.?—I think Europeans of the lower classes might travel through the interior of the country without much inconvenience, although they were not supplied with any of the accommodations above mentioned; but in some parts of the country, they would of course be exposed to considerable personal risk; on the other hand, persons in a higher sphere of life, such as for instance, the gentlemen whom I have generally seen employed in houses of agency, could not travel through the interior of the country without the means of conveyance, and tents to secure them against the effects of the climate.

Would not an European attempting to penetrate clandestinely into the country on foot, incur great risks to his health as well as to his person, from the nature of that climate, and the total want of accommodation upon the road?—I think it probable, that in a climate such as that of India, any European travelling through the country without adequate means of accommodation might expose his health, besides his person; but this would be more particularly the case in certain seasons of the year, and through certain parts of the country.

If such European carried money or goods with him to pay his expences on the road, would he not be liable to be robbed and even murdered by the Pindarries and other numerous plunderers in the Mahratta and Nizam's country?—In some parts of the Deccan, particularly in those provinces that are infested by the Pindarries, Naichs, Bheels and other freebooters, any European travelling with money and goods, without being escorted by a guard, would run considerable risk of being plundered of his goods, and perhaps of being murdered; but the danger would not be so great in those parts of the country that are cultivated, and where the governor exercises supreme authority.

Did you hear, during your residence in India, of various attempts made by European deserters to penetrate into the interior, and of their being generally, if not always intercepted?—While I was resident, at Hydrabad, there were not many cases of desertion occurred; but, almost in every instance, the deserters effected their escape to some distance from the capital, and established themselves in the service of some one or other of the jaghiredars in the Deccan; it however generally happened, that I obtained a knowledge of their route and place of concealment, and by an application through the Nizam to the jaghiredars, succeeded in recovering the deserters; in one or two instances it was not in my power to detect them, and in one case it became necessary to threaten a jaghiredar by the employment of a military force, before I could obtain his release.

The cases alluded to in the preceding answer, it is presumed, have reference to desertions from the force at Hydrabad; do you know of any similar attempts having been made by European deserters to petrate into the interior from either of the presidencies or military stations on the coast?—I really cannot recal to my recollection any cases of a similar description of which I could state the particulars to the Committee, excepting the case of a French officer who broke his parole and escaped from Pondicherry, and had established himself either in the Nizam's or the Mahratta country, before the government could prevail upon the prince to deliver him up to the resident at the court; I am not quite clear whether at Hydrabad or Poonah: another case occurred at Poonah, where two or three French officers had made their way to the city of Poonah, and remained concealed there for some time before the resident became acquainted with the fact of their being there; and it was not till after a vexatious negociation of two or three weeks, that the Peishwah or his minister could be prevailed upon to deliver them up; it has also occurred to my predecessor at Hydrabad and to myself, to find Europeans in different parts of the Deccan who had deserted many years before, and who either were detected or delivered themselves up, in the hope of their crime being pardoned.

Were these Europeans delivered up to the British government in pursuance of the treaty now in force, which prohibits the employment of Europeans in the services of the Nizam and the Peishwah, without the permission of the British government?—The French officer, alluded to in the first case, was delivered up before the conclusion of the treaty containing that stipulation; the French officers at Poonah were delivered up in consequence of the resident's insisting on the Peishwah's fulfilment of that particular stipulation in his last treaty; in the other instances, it was not necessary to appeal to the Nizam's government, as the deserters alluded to were either detected by parties of the Company's troops, or voluntarily delivered themselves up.

Did you hear, during your residence in India, of the escapes of French prisoners from Bombay, and of their having attempted unsuccessfully to penetrate into the Mahratta country?—The only case of that description of which I heard, was one that took place during the peace of Amiens; and though I have no distinct recollection of the circumstances, I believe that some French officers or soldiers did attempt to penetrate from the sea coast into the interior of the Mahratta country, and were intercepted, as far as my recollection serves me, on the frontier between the Concan and the Ballawit Mahratta territory.

Are you acquainted with an attempt made during the course of this war by the French, to land adventurers on the coast of the Concan from a small vessel called the Passe par Tout, and of those adventurers having been given up on the strong remonstrances of the late resident at Poonah, and surrendered to the British government agreeably to treaty?—I confess I do not recollect the circumstances which are alluded to in the question that is put.

Could any Europeans, in the present state and circumstances of the Deccan, perform any active duties in the service of a jaghiredar, without a knowledge of a vigilant resident at the court of the Nizam?—I think that it would be very possible for one or more Europeans to be employed by a jaghiredar, in the training and disciplining of his troops for some time, without the intelligence of such a circumstance reaching a resident, however vigilant, particularly if the government of the Nizam were disposed to encourage their concealment.

Considering that the Europeans left from M. Raymond's corps in the Nizam's service, as referred to in a former part of your examination, may have formed con-

nections more or less intimate during their residence in that country, do not you consider their case to be very different from an attempt now made on the part of strangers to penetrate into the interior in search of employment?—I certainly consider the cases to be very different; I only mention the fact alluded to in the question, to show the possibility of Europeans living in the Nizam's dominions, and being employed in his service, without the knowledge of the resident at his highness's court.

Did those Europeans alluded to do any particular mischief to the public interest, in the service in which they were employed, previous to detection by you?—I cannot say that they did any particular mischief of such a nature as to attract my attention; but they naturally persevered in retaining the forms and usages of the French service, in employing the French words of command, and probably in keeping up amongst the natives under their command, their attachment to that nation, by the officers of which they had been raised and commanded; this was proved by the resolute determination, on the part of the men, to resist the introduction of the English system of exercise and words of command; and if, before the reform which afterwards took place, it had been possible to have excited any considerable disturbance in the country, or that the country had been invaded by any other prince, or that hopes had been held out of any co-operation from the French power, I conceive that in either of those cases, considerable mischief might have resulted from the continuance in the Nizam's service of the foreigners whom I have mentioned; there were many persons amongst those officers, some of good character, and others perfectly inoffensive; but I had them all removed, both from the Nizam's service and the territories, upon a general principle.—Previously to the treaty of offensive and defensive alliance between the Nizam and the Company in the year 1798, these corps were almost entirely officered by French and other foreign officers; I believe there were one or two Englishmen amongst those officers.

Did those officers find their way into the Nizam's service previously to the treaty by which his highness is restricted from the employment of European officers, and also previously to the present regulations in force in India, which prevent Europeans from travelling through the country without a regular passport?—I believe that the greater number of those officers had been with the corps alluded to, during the period that M. Raymond and M. Feron commanded; and I do not recollect more than two or three instances where the officers had joined, since the destruction of Raymond's corps, and those instances, if I recollect right, were half-cast men from Pondicherry.

Through what channels do you suppose those foreigners found their way to India, and into the service of the Nizam?—I believe that most of them came from Pondicherry, direct to Hydrabad, on being sent for by M. Raymond, or going to Hydrabad in search of employment; some of them came from the employment of Scindiah, Holkar, and other Mahratta chieftains.

Had it come to your knowledge whether any serious disturbances ever occurred in the interior of the country, from the introduction of those foreign Europeans into the service of the Nizam?—I never heard of any serious disturbances having occurred within the territories of the Nizam, from the introduction or employment of the officers in question; the fact was, that M. Raymond is a man of considerable talents, who held a very high command, was supported in his authority by the Nizam's government, had large estates conferred upon him for the support of the troops under his command, and both over the military force and the districts belonging to him, exercised an absolute and almost independent power.

If the settlements and factories in India, heretofore held by the French, Dutch, and Danes, should again be restored to those powers, would the same facilities for introducing foreign Europeans from those settlements into the interior of India, again present themselves?—If the settlements belonging to the French, Dutch, and Danes, were restored to those powers, I do not conceive that the same facilities would take place in the introduction of foreigners from those settlements into the interior of the country, partly because the authority of the Company's government over their own possessions has been considerably increased, and because in consequence of the late treaties of alliance between the Company and the native states, the residents at the courts of the native princes are enabled to exercise much more vigilant and efficient controul than they were formerly enabled to do.

If British subjects were to find their way into the country, do you think that there is any greater reason, to apprehend disorderly conduct from them than from any other Europeans or Americans?—I do not believe that the Americans have found their way into the interior of the country; with respect to other foreigners, they have generally penetrated into the interior of the country for the purpose of being employed in the service of some one or other of the native princes of India, and as they are there under a strict military discipline, no disturbance is likely to take place; but the case would be different, if foreign or British adventurers were to range over the country without any particular object, or being employed in any regular corps in the service of any of the native princes.

Did the British officers of the subsidiary forces at Hydrabad or Jaulna, conduct themselves to your knowledge, in an unruly or unbecoming manner towards the natives of those countries?—I do not recollect any instances of the British officers belonging to the subsidiary force, either at Hydrabad or Jaulna, conducting themselves in a violent or unruly manner towards the natives of the country; of course, some slight disputes and quarrels have taken place during the course of my residence at Hydrabad, which are of too trifling a nature to intrude upon the notice of the Committee.

When excesses of the description alluded to do occur, are they not commonly the acts of hot-headed or violent young men?—Almost always; I have scarcely known any officer who has resided a few years in India, and become even slightly acquainted with the language and habits of the natives, who has shown any disposition to conduct himself in a violent or unbecoming manner towards the natives.

Do you think that a sober calculating merchant, is as likely to commit excesses of this description as a person who has not the same motives of private interest and calmer habits to restrain him?—I do not conceive that a sober calculating merchant engaged in business, whose interest it must evidently be to conciliate the natives, would be likely to violate or infringe their religious habits and prejudices; but it must be considered that the officers in the army, although perhaps more inclined to excesses than merchants, are frequently restrained from them by the discipline in which they are kept, and by the fear of penalties and punishments to which they would be subject for the slightest misconduct.

In your extensive intercourse with the natives of India, has it come to your knowledge that such natives make a wide distinction in their own minds, between the mercantile part of the European community in India, and the young and wilder servants of the King and Company who occasionally get among them; and that such natives can as correctly as any people on earth, discern the particular motives or principles of conduct by which those two distinct classes of Europeans are actuated in their general demeanour?—I think that, in general, the natives of India, especially the Mussulmen, have naturally a higher respect for military men than for persons employed in trade, not from a comparison between the individual characters of officers and traders, but because in India, every gentleman is supposed to be a soldier; at the same time, I believe that there are no description of persons who are more acute in distinguishing the motives and conduct of individuals, than the generality of the natives of India.

Are you of opinion that the conduct of the higher classes of Europeans in India, including the mercantile part, is, generally speaking, marked by a peculiar degree of forbearance, consideration, and respect to the manners and habits of the natives; and do you, or do you not think that any casual act of violence by a wild young man, would detract from their general good opinion of the British, which this conduct has established, or affect in their estimation, any but the persons committing the violence, or shake their confidence in the higher and more soberly disposed part of our countrymen?—From my experience, I believe, that the higher classes of Europeans in India, and indeed, all classes who have resided some time in that country, are distinguished by great mildness, forbearance, and liberality towards the natives of India; I do not believe that one or two casual instances of excess, on the part of the young men, would shake the confidence which is placed, by the generality of the inhabitants, in the character and disposition of the higher classes of European inhabitants: at the same time a repetition of such instances, if not properly checked and punished, might gradually lessen the respect, esteem, and attachment, which the natives bear towards the body of Europeans residing in India.

In a former part of your examination you were understood to have stated, that some of the richer and higher classes of Mussulmen at Hydrabad did use European commodities, both in their dress and the furniture of their houses; have you reason to suppose that other Mussulmen would not follow the example of those their superiors, if they had the means of doing so?—Some of the higher and wealthier Mussulmen at the court of Hydrabad, do certainly use some articles of European manufacture in their dress and in the furniture of their houses, but this has occurred principally amongst the ministers of the Nizam, who from their frequent intercourse with the resident, are perhaps disposed, chiefly from motives of compliment, to fit up their houses more in the European stile than other persons who have not the same motives; but during the period of my residence at Hydrabad, I did not perceive that the fashion of fitting up houses in the European stile at all increased, and I do not conceive that it would extend even in the capital, amongst those Mussulmen who are not in continual communication with the resident at the court; I conceive, that one of the principal causes why a few of the subordinate ministers, at Hydrabad, followed some of our customs was, in consequence of the example given to them by Meer Ali, a Persian by birth, a man very much above the common prejudices of his countrymen, who had adopted quite an European mode of thinking, and despised the habits and customs of the Mussulmen in India.

Can you recollect what the European articles were that were so used by those higher Mussulmen?—They consisted chiefly of services of glass-ware, china lustres, chintz coverings for sofas, chintz curtains, and a few articles of plate, according to European fashion.

Are not iron, copper, steel and other metals, consumed by natives of all casts in India, in a great variety of articles of common use and necessity?—They are.

Would not those articles be used in greater quantities, if greater wealth was more generally diffused among the natives of that country?—It appeared to me that the natives of India were not in want of any of those articles; they had no difficulty in supplying themselves with whatever they might require for domestic or other purposes, and therefore, I do not see how the increase of their wealth would lead to the employment of more articles of a similar description, conceiving that those articles are not so much articles of luxury, on which wealth is generally expended, as articles of common and immediate use.

Would not a considerable improvement in the circumstances and wealth of the inhabitants of India, occasion more and better buildings, for example, to be erected, and a greater degree of internal commerce and manufacture, into which those articles must necessarily enter?—I conceive that the improvement of the circumstances of the inhabitants of India, would probably lead to the building of larger and more commodious houses than they occupy at present, not of a different fashion, but larger and more extensive, according to their own mode of building; and the same cause would, no doubt, lead to more activity of internal commerce than extends at present; I do not state this as applied merely to India, but as a natural result of the same cause in all parts of the world.

Did you, during your residence in India, ever dress your own personal servants in woollen dresses?—While I was resident at Hydrabad, my servants, during the cold weather, were dressed in a livery of scarlet cloth, and in the hot weather in cotton cloth or muslin.

Do the natives of India work in steel, or at all events, but very indifferently?—All their manufactures in steel which I have seen appeared to me to be very imperfect, excepting the swords, which are made in the Deccan, and in the north part of India, and which, I believe, in temper and other property, are equal to the best swords made in any part of the world.—The only articles of steel in use in India besides swords, which occur to me at present, are knives and scissars, which are generally imported from England, being very superior to those manufactured in India.

Is not the tochin conna of the Nizam, mentioned by you in a former part of your examination, considered and exhibited as one of the curiosities of his highness's palace?—Those magazines which, for want of another expression, I called the tochin conna, are certainly never exhibited to strangers; it was only by a particular request that I was permitted by the Nizam to see them; the room which is more particularly the tochin conna, or jewel office, as containing such jewels and valuable property in use by the prince, is cer-

tainly never exhibited by the Nizam, probably from the fear of exciting the cupidity of those who go to see it.

May not strangers visiting the palace from curiosity, and of known respectability, on an application being preferred to the Nizam, or the British resident, be allowed to see this tochin conna?—I do not recollect any instance having occurred; I never thought of making an application of that nature; and although the Nizam might be disposed to grant a particular request on the part of the resident, I rather believe that his highness would consider that an intrusive and unpleasant request.

Exclusive of the European articles in this tochin conna, has not the Nizam also similarly in store, great quantities of the finer manufactures of other foreign countries, such as shawls, silks, kincobs, jewellery, &c.?—I do not think that the present Nizam retains in his storehouses more commodities of the descriptions alluded to in the question than are necessary for the general consumption of himself and his large family; I know that it is frequently his highness's custom to dispose of such jewels and presents, shawls, kincobs, and other articles of that description as are presented from time to time by the resident or principal natives of that court; this may however be owing to the personal character of the present Nizam, whose ruling passion is avarice.

Had not Tippoo a great collection of these articles as well European as Asiatic, at Seringapatam?—Tippoo had certainly a large collection of articles of Indian manufacture and produce, as well as European, in the different store-rooms belonging to the palace.

Are not these tochin connas considered as containing a part of the wealth of the palace?—They certainly contain part of the wealth of the palace; but I believe the jewels not in common use, those of greater variety and price, bullion and specie, are generally kept concealed within the precincts of the harams, or in some safe part of the palace, which is known merely to the prince, and one or two confidential servants.

Are not those European articles, though hoarded in a tochin conna, considered sources of considerable gratification to the persons receiving them?—I believe that when such presents are made to a native prince, especially such as are curious from their mechanism or fashion, that they afford considerable gratification to the person to whom they are presented; the degree of value placed upon them, of course, will be regulated by the disposition of the prince; in the case of the Nizam, it did not appear to me that the accumulation of European articles in his tochin conna afforded him any gratification whatsoever, either as a source of wealth or amusement.

Did not the Nizam make presents to his favourites at court from among the stores of the tochin conna?—I have already stated, that the Nizam is of a most parsimonious disposition; he sometimes made a few trifling presents to his favourites and confidential servants; but in general, his presents were confined to those which are usually conferred on persons of distinction in receiving the investiture of lands, being called to new offices, and other occasions, where even the amount and nature of the present is regulated by long established usage.

Are not the Mussulmen prone, from natural disposition, to every species of luxury and personal gratification?—The Mussulmen in general are certainly prone to every species of luxury and personal gratification.

Are you of opinion, that the opening of the trade with India must necessarily be attended with an unlicensed and unrestricted intercourse of Europeans in that country?—I conceive, that a freedom of trade, calculated to produce every advantage that can be derived from a free trade, could take place between this country and India without incurring the necessity of permitting Europeans to traverse the interior of India, or allowing them to remain at the presidencies, unrestricted by the government.

In what manner do you think the interest of the private European merchants and agents already established at the different presidencies in India would be affected by the proposed opening of the trade with this country, and the admission of an increased number of European traders at those settlements?—I should conceive, that the establishment, at the different presidencies, of a number of new houses of business, and of persons employed in trade, would be attended with injurious consequences to the houses that are now there established; as the houses that are now at the different presidencies absorb the whole of that business, which would be divided amongst a greater number, if other houses were to be established at those presidencies.

Would not the native merchants and agents, and the natives generally, be likely to be principally benefited by the opening of the trade?—I should conceive, that whatever advantage is to be derived at the different presidencies by traders, from the opening of the trade, would be derived by the native agents, rather than by the European houses of business, already established at those presidencies.

Do not you think that improvements might be made in the various articles of European manufacture sent to India, so as to render them better adapted to the taste of the natives, than those now sent out, which are more particularly intended for the use of Europeans?—I certainly think some improvements might take place, both in the fabric and selection of articles for the Indian market, which would render them more suitable to the taste and uses of the natives of India than those which are now generally exported to that country.

Would there not, in your opinion, be probably a greater sale among the natives than at present of European manufacture, if they could be supplied considerably cheaper, so as to come within the means of the poorer class of the natives of India, even though they might be inferior in quality to those sent out for the use of Europeans?—I conceive, that any considerable reduction in the price of European goods sent out to India, would naturally produce a greater degree of consumption of those articles; but I think that this increase would not be very considerable, and that it would be limited until the bulk of the community in India had adopted habits and customs more similar to the Europeans than they now possess.

What, in your opinion, is the present state and circumstances of the natives of India; is it prosperous, or otherwise?—In answering this question, it is necessary for me to make a distinction between the inhabitants living under the Company's government, and those natives living under the Mahratta and Nizam's governments, with whose situation I am more particularly acquainted. With regard to the Company's government, I believe that the following observation is strictly true, that the worst form of the Company's government is considerably better than the best form of any Asiatic government which has been established in India. The situation of the inhabitants under the Company's government, always appeared to me to be extremely prosperous, when compared with that of natives in similar situations, under any of the native governments; and I am disposed to believe, that even when compared with the situation of similar classes in any part of Europe, their situation may still be considered prosperous; I would even venture to extend this comparison to England itself, as far as my observation reaches.

Do you consider the bulk of the people in India to be poor, or otherwise?—I certainly do not consider the great mass of the inhabitants of India, particularly those under the Company's government, as being in a state of poverty; because the price of their labour being fully sufficient to purchase for themselves and their families, is sufficient to support them.

Is not the low price of labour a proof of the poverty of the country?—I do not conceive the low price of labour can be any proof of the poverty of the country; I take the relation between the price of labour and the price of food to be the standard by which their poverty is to be measured.

To what part of India do you particularly allude, when you speak of the great prosperity of the bulk of the subjects of the Company's government?—I allude, generally, to those parts of the Company's dominions which I have visited, extending from Calcutta along the northern circars to the Carnatic, the Carnatic itself, and the countries ceded by the Nizam to the Company.

Do you conceive that the territories you now allude to, are better cultivated, or the inhabitants in a state of greater wealth, generally speaking, than the province of Berar?—Generally speaking, I should consider that part of the country to which I allude, to be in a higher state of cultivation than the province of Berar, though there are certainly some parts of the province of Berar, which are so favoured by climate, and by the soil, as to be as highly cultivated as perhaps any part of the world, producing rice, wheat, barley, cotton, opium, sugar and silk.

Do you think that the inhabitants of Mysore are not to the full as well off in point of circumstances, and the country generally as well cultivated, as any of the districts subject to the Madras government?—From all that I have heard of the state of Mysore, I believe that that part of India is as well cultivated as any part under the immediate dominion of the Company.

When you have stated that you do not consider the Hindoos poor, because they have the means of purchasing the necessaries of life, do you or not consider them poor as to their power of purchasing British commodities and manufactures?—I believe that it seldom falls to the lot of the generality of the inhabitants of any country to be able to afford any surplus for the purchase of foreign goods, especially such as minister more to their luxury and enjoyments than to their comfort and convenience; in this respect the inhabitants of India are so far poor, that they commonly have not, after providing for their families, any money to expend in goods of European produce and manufacture.

From any remarks on Bombay, when you were there, do you think that the manners and customs of Bombay are at all similar to those in the interior of the country?—The population of Bombay is perhaps formed of a more extensive commixture of different nations than any part of India, consisting of Hindoos, Parsees, Mussulmen, Chinese, Arabs, Armenians, Persians, and almost every class of natives of the peninsula of India, who are engaged in trade.

Is there any similarity, or can any argument be drawn from the practices and usages of Bombay, to what obtain in the interior of India?—I should certainly conceive that the population of Bombay, formed as it is of so many different nations, and placed in its insular situation, cannot be assumed as a criterion of judging of any part of the population of Hindostan.

Was not the prosperity of the inhabitants of the Barramahl considerably increased, after these districts were ceded to the Company, and placed under the management of colonel Read?—I believe that it would be difficult to find in history a more decided proof of the good effects of a just and moderate government than that which was exhibited in the Barramahl, while it was under the superintendence of colonel Read: I believe that in the course of five years, the revenues of these districts were more than doubled, while the rents were diminished almost in an equal proportion.

Was not the prosperity of the inhabitants of the countries ceded by the Nizam to the Company, and placed under the management of colonel Thomas Munro, also considerably increased?—I should be disposed to apply nearly the same observation to those countries that were ceded by the Nizam to the Company, and placed under the superintendence of colonel Munro, as I have already made respecting the Barramahl; when colonel Munro received the possession of these districts, the country was in a state of anarchy and confusion, the revenue by no means productive, the inhabitants oppressed by every species of tyranny and extortion, and the country infested by bands of freebooters and robbers, which no exertion on the part of the officers of the native government could put down; in the course of four or five years, the revenues were nearly doubled, and have since continued to improve; peace and order has been completely established throughout every part of those districts, and instead of an oppressive government, they are subject to the operation of just and mild laws.

ROBERT MORRIS, esq. was called in, and examined as follows:

Mr. *Grant*.] — Have you frequently made voyages to India and China, on board the regular ships of the East India Company?—I have; I was six voyages as surgeon, and four as purser, of the regular ships. The last was between 8 and 9 years ago. I have visited almost all parts of India; particularly the three presidencies, Bengal, Madras, and Bombay: principally Bengal, and Madras and China.

In assorting your investment, can you state what proportion you usually provided of such articles as you conceived to be for the consumption of the natives of India?—A very small proportion; I should suppose not one tenth.

Of what description were those articles which you provided under the conception that they would be used by the natives?—Principally glass ware, and a small quantity of hard ware; a little furniture for their houses, but very little of that, for such natives as are connected with the Europeans in general.

Can you state from what causes the narrowness of the native demand for European manufactures arises?—The natives in general do not use European articles to any extent.

Can you state whether, during your experience in this private trade, there was a growing demand on the part of the natives for European manufactures?—I have not experienced any growing demand, or very trifling, since I have known the service, which is 30 years.

In your judgment, have the marine officers of the Company used every exertion to promote, as far as in them lay, the consumption of European manufactures by the natives of India?—I conceive they have, as it was their interest to do so.

Since your retirement from the marine service of the Company, have you had any experience in the private export trade to India?—I have been almost constantly engaged in the private exports since that time.

In what manner?—In sending out goods as an agent to houses in India, receiving orders from India to send out goods there; and I have sent out very considerable investments on my own account as a merchant.

Did those investments consist in any great degree of articles for the native consumption of India?—They were generally the same as those carried out by the commanders and officers of the ships.

During your whole commercial experience in the departments you have described, have you found the encouragement for the export of British manufactures to India increase?—I have not.

Is it known to you, that between six and seven years ago the Company granted increased facilities for the exportation of British manufactures to India?—I believe they granted an additional quantity of tonnage at that time.—Since that time many of the restrictions or difficulties which we laboured under have been removed; we have now greater facility than we had at that time.—I have found no difficulties of any consequence of late in the exportation of European manufactures to India.

Has the exportation of European manufactures increased since the acquisition of those facilities?—I do not think it has, in any considerable degree.

Has the state of the market in India for European manufactures improved, to your knowledge?—To my knowledge, the state of the markets in India for European commodities is very bad indeed.

Do you mean that answer to extend up to the present time?—Up to the last accounts from Bengal, and for several years past.

Were there any reasonable hope of profitably extending the export trade in manufactures from this country to India, would you, and other traders in that department, increase the quantity of capital which you employ in the prosecution of it?—I conceive they would; I would myself.

In your opinion, is there, upon the whole, as great a quantity of British capital now employed in the exportation of European manufactures to India, as can possibly be employed in that way with a prospect of profit?—I conceive, at present, there is a great deal too much capital employed in that way.

If the facilities of export were still further increased, is it your opinion that the trade would answer?—I do not think it would answer.

On the supposition that the British trader were freely allowed to freight his own ship with European manufactures, is it your opinion that such a trader would find a sale for his cargo among the natives of India?—I conceive, at present, there are more goods in India than can be disposed of.

On the supposition that a free trade were established in India, and that private ships were to be freighted with cargoes of cutlery, hardware, and other articles, which the natives are known to use in a limited degree, is it your opinion that such export trade would prove profitable to the persons employed in it?—I conceive, if they were sent out in any large quantities it would be almost a total loss.

Is it your opinion that any saving which the private trader might effect, either by the cheapness of freight, or by the convenience of sailing at his own time, or in any other manner, by the alleged efficiency of free adventure, would compensate for the loss which he might be expected to sustain on his sales in India?—I should conceive, if the trade were thrown open to every individual, as much as he pleased, the quantity of goods sent out would be so great they could not find a sale.

In the event of an open trade, do you conceive that any expectations which the British manufacturers may entertain of an increased market for their produce in India would be realized, or the reverse?—I think it would be the reverse, most undoubtedly.

Would the private trader, exporting goods to India in his own vessel, trade on the whole as cheaply as the private trader employing, under the present system, a given amount of the privileged tonnage allowed by the Company?—I do not conceive he would save more in going in a private vessel than under the present system; I allude to the captains and officers

who save their freight; I conceive, that the difference of insurance and other expences upon a private vessel, would counterbalance any advantage they might receive.

Supposing a merchant wishing to send goods to India should not freight a whole ship with those goods, but should wait till the ship was fully freighted by other traders joining with him, would he in that case gain any advantage by sailing at his own time?—I conceive he would be under the same uncertainty as under the present system of the Company; he must wait till his ship was loaded, unless he could load the ship entirely himself; he would not send her with a half cargo.

On the whole is it your opinion, that in the event of a free trade, the export trade to India could be conducted with greater cheapness than at present?—I conceive very little, particularly during war.

On the supposition that the export trade could, under the circumstances described, be conducted with somewhat greater cheapness, is it your opinion that there would be a correspondent extension of the sale of European commodities in the native markets of India?—I do not conceive there would be any extension, further than what there is at present.

Can you state, whether the practice of making what are called salt water invoices is usual among the officers of the Company's marine service?—I should conceive not among any honest men, if I understand what is meant by it, a false invoice; I have never known any man of respectability attempt such a thing.

Explain what you understand by the term, a salt water invoice?—I conceive a false charge, an increased charge laid upon the goods, which I think no honest man would attempt.

In point of fact, is it usual with the Company's officers to make out false invoices?—Not with any men of respectability; nor do I conceive it would have any avail, because every merchant of any standing in India, knows the price of goods as well as we do in London.

Would it be agreeable or contrary to the interest of those officers to adopt such fraudulent practices?—In some cases it might be to their advantage; in many it would not; because many goods are bought at so much a piece when they land there, or by the weight, for instance; dead weight; iron, lead, or such articles, are bought at so much a cwt. or so much a maund, without reference to the original charge.

Do the officers of the ships of the Company usually purchase the articles which constitute their investments at long credits?—Many of them do; others do not; those who have money pay for them.

When the investment is laid in at a long credit, is that fact known to the buyers in India?—I believe the invoices are generally made out nearly at one rate, supposing twelve months credit; those who have money receive a discount for their money.

Are you acquainted with the commerce of the Eastern or Malay Archipelago?—No, I am not particularly.

Have not you visited those islands?—I have been at some of them; I have gone through the Straits of Malacca to China; but I have not been among the Eastern Islands.

Have you visited any of the islands off the eastern coast of Africa?—Madagascar and Johanna, in particular.

Have you resided in any of those islands?—No, I never resided; I have been there on a voyage out to India, stopping for provisions.

Have you spent weeks there at any time?—Yes, one or two weeks; I think I was once 14 days at Madagascar.

Are you able to state, whether any of those islands are likely to furnish a demand for European manufactures?—None of them, in any degree.

Are the people in a state of barbarism or civilization?—Almost in a state of nudity, with only a piece of cloth about them; both in Madagascar and Johanna they use a small quantity of cutlery and fire-arms; and probably a little coarse broad-cloth.

Is not the government of Johanna the most civilized of the governments established in any of those islands?—It is.

Is the island of Johanna likely to furnish a demand for European articles?—I should conceive it is not.

May 6th.

ROBERT MORRIS, esq. was again called in, and further examined by the Committee:

Are the Eastern Islands amply supplied with such British manufactures as they require, and at as cheap rates as could be expected under the circumstances of an open trade?—I conceive they are at present.

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Would or would not a single cargo of 350 or 400 tons of British manufactures, be as much or more than sufficient for all their demands?—I do not conceive they would consume a single cargo of from 300 to 400 tons; it would not find purchasers, except at Java.

If every subject of the United Kingdom had access to the whole of the Eastern Archipelago, could the successful export of British manufactures be increased to those ports?—I do not conceive it would to any material degree.

If the trade were thus thrown open to the Eastern seas, do you entertain any doubt that every commander of a ship would be able to supply himself with tea, if such were the object of his speculation, without going to Canton?—I think a very large quantity of tea might be purchased in that way, which would be brought down by the Chinese junks, and by the country ships returning to Bombay.

Do you think that every commander, if such were his desire, might have the means of supplying himself with any quantity of tea in that way?—That is so indefinite a question, a number of ships going out; I think three or four ships; several ships might be loaded in that way.

What sized ships?—From 3 to 400 tons or more; I should think 5 or 6 ships of 400 tons each, or almost any number, could procure the article; it is the constant practice of the ships returning to Bombay, or to any part of India, to bring their returns in tea, if they can find a vent for it.

Are there any means in those seas of controul by manifests or clearances, or any other functions of revenue officers?—It would be extremely difficult to prevent a traffic of that kind in those seas; there are no establishments of any kind in those islands, nor any where there; except at the Company's settlements there is no check whatever.

Have the goodness to say, whether it is usual to deduct the discounts and drawbacks from the invoices, when the goods are sold at a per centage upon the invoice?—When two merchants purchase goods, the one for credit, and the other for ready money, if they both go to the same market, I conceive the one who has money may take the advantage of receiving the discount or interest for his money that he pays; the other man who does not pay money exhibits his invoices at the same rate, and they both sell alike, he does not deduct his discount; but the drawback on glass and other articles is now generally given up to the merchant abroad.

William Davies, esq. was called in, and examined.

Mr. *Jackson.*]—You were formerly a purser on board one of the Company's ships; were you not?—Yes, I was.

How many voyages did you act as purser, and during those whither did you go?—Four voyages, to China and India, having touched at South America, Africa, Sumatra, and Java.

Is not the purser, generally, a considerable trader upon his own account, or in conjunction with his commander; and in the latter case has he not generally the management of the investment?—I was a partner with the captain of the ship, and had the chief management of the investment.

Have you, since that period, during the last ten years, been acting as a merchant trading to the East Indies?—Not for the last ten years, speaking from the present day; for the last three years I have employed my capital as a ship owner; ten years prior to those three I employed a large capital as an East India merchant.

You were in partnership with a house in Madras, were you not?—I have a partner in London of the name of Card, who was a partner in a house of considerable note in Madras, the house of Hope and Company, for sixteen years; a man exceedingly well acquainted with the details of trade at Madras.

You had a mercantile establishment at Madras as well as in London, had you not?—It was not precisely that, but we did consign our goods to Madras under peculiar advantages, our house being in London.

Was not your house regarded as one of the principal houses trading to Madras, as an export house?—I think it was; I am of opinion that no merchant of the city of London consigned so large a quantity of European goods to Madras, as the house that I was at the head of.

Did you during that period endeavour with great enterprise and no want of capital, to extend the export of British articles to the East Indies, in as great a degree as they were capable of extension?—I was very desirous of encreasing the trade, with the hope of obtaining a larger

profit; we did not want capital; we had a surplus capital; nor did we extend our credit to any thing like the extent we might have done, if it had been an object to us to have enlarged our trade.

Was there any want of activity or enterprize to encrease the export, if it had been possible?—I think not; I do not think it requires much talent to export goods to India, where there is an ample supply of capital.

State the general success of the last few years of that sort of speculation?—The trade to India, prior to the year 1793, was a profitable trade; from the year 1793 to 1806, it bore a fair profit; since that period, I am of opinion that no merchant in London could have gained by any investment exported to any part of India.

To what do you impute that circumstance? — There were certain facilities given by the act of parliament of 1793 to the private traders; but there were certain clogs; in the year 1806, there were greater facilities given, and that, I presume, was one cause, with, perhaps, trade to other parts of the world being more stagnant than it had been before that period, so as to induce merchants to ship more largely than they had done before; and the Indian market having before had an ample supply, the profits upon that surplus export were very small indeed; I know my house was not a gainer, and I know that I had equal advantages to what any other house in London could have had.—Since the year 1806, I think that the exports have been greater than the demand, consistently with a fair expectation of profit.—I am of opinion that the export trade to the private merchant has been since the year 1806, a losing concern; generally speaking, it is possible that some particular articles may have produced a profit; but speaking of investments generally, I am quite sure that the export trade since the year 1806, up to the present time, taking the average, must have been a losing concern to every merchant in London, who had to pay freight, insurance and agency.

Generally speaking, from about the period of 1806, has the market in India for articles of British manufactures been in a state of glut or otherwise?—It has been in a state of glut.

Supposing the trade to be laid open, would it more frequently happen that the whole cargo should belong to a single trader, or that a variety of traders should be concerned in it?—It would take a large capital for an individual merchant, or a house, to freight a ship to India of 5 or 600 tons, which is the smallest class, and I presume it is a risk; I am sure, at the present day, it must be a risk that no prudent merchant would embark in.

Do you think, that under the circumstances of an open trade, the more general trading would be by a variety of owners or traders on one ship?—If the trade were thrown open, I think that there would be an increased difficulty, applying the words in an enlarged sense, to what exists at present in obtaining freight; I have been offered freight as low as 4*l.* per ton; but knowing what I do of the Indian market, it was not sufficient to induce me to send an investment upon those terms, nor do I think that any individual merchant could now freight a ship on as low terms as the East India Company at this present day obtain their freight; I am the proprietor of a small ship that was built at an outport at Chester; I bought her with her stores, at the very reasonable sum of 13,200*l.*, by paying ready money; I have since fitted out that ship, and she has gone one voyage in the Company's service, at a higher freightage than they now give by nearly 6*l.* per ton, the result of that was to me a losing concern, because the Committee should understand, the individual merchant, to a certain degree, becomes an insurer of the safety of the Company's cargo; when this ship of mine returned, the Company charged me nearly 6,000*l.* for damage done their goods; now, if this ship had remained as a West India ship, the very leak that did me this injury, would have been rather serviceable to her as a West India ship, because it would have checked the dry rot.

Do you mean that the Company are so circumspect with respect to the goodness of their ships, in order to preserve the safety of their cargoes, that they exact a degree of quality and repair that leaves the ship owner but a very moderate profit?—I have reason to believe that I fit my ships as cheap as any merchant in London can do; there is no reason why it should not be so.

Is the Committee to understand that your adventure in this ship, notwithstanding all these circumstances of care and economy, was to yourself rather an unprofitable concern?—It has proved an unprofitable concern.

You are understood to have said, that

you apprehend a prudent merchant would rarely be found a single freighter of a whole ship?—I think not, at this present time.

In case of an open trade, would not the ships that should proceed to India be generally freighted by a variety of persons?—I presume so.

Supposing a vessel to be freighted by a variety of persons, must they not, in the nature of things, frequently be very dependent upon each other's convenience, subject to the delay occasioned by each other, and upon the whole, quite as likely to be delayed, as in any instance, according to your experience, you have known to take place with regard to the Company's extra ships, under the Act of 1793?—I am of opinion that they would.

Have you had any opportunity of understanding the nature of the trade to Bombay?—As a merchant, I have made consignments to Bombay; I believe about 1805 or 1806, and they did not turn out profitable.

Do you happen to know the usual cargoes which commanders of vessels take out to Bombay, what proportion may consist of merchandize, and, if any, what proportion of bullion?—I believe the greater proportion is in bullion, that they may be at a certainty of purchasing a cotton cargo, to take from thence to China.

If then at Bombay there were an unsupplied demand for British manufactures, would it not answer the end of the commanders to take out such, in preference to bullion?—I think it would, because I know that many of them are obliged to borrow money in this country to obtain bullion with; and I, at this period, have two gentlemen in the capacity of agents at Bombay, who are superintending the building of a ship; the building of that ship will require a capital of certainly not less than 60,000*l.*, and it would have been extremely convenient to me to have sent 20 or 30,000*l.* worth of goods to that country, rather than to have had bills drawn upon me.

Assuming there to be a great Parsee population at Bombay, and that they assimilate more to European manners than any other description of natives, has not the Bombay market been supplied with European articles almost to a degree of glut, for several years past?—My having made consignments there, to a house of great respectability, who I have no doubt exerted themselves as much as any agents could for their constituents, and the returns having to me been unprofitable, is fair ground for my presuming that the market has been overstocked.

Can you inform the Committee, whether the natives of India are in a progressive and apparently increasing disposition, to manufacture among themselves such articles as have been usually exported from this country, of British manufactures?—I know that the natives of India possess sufficient talent, if properly directed, to manufacture many of the things that the Europeans require in that country, or that the higher class of the natives of the country may be inclined to purchase, such as carriages; leather of all sorts for the army; boots and shoes, I think nearly as good as Hoby's; watches, I believe they do not make the inside of the watch, but I know they put them together there; and cabinet ware also; and I know no reason why, if properly directed, the talents of the Hindoo or the Mahometan, may not become as useful in the making of all the requisites there, as any mechanic in this country; I need not add, that the price of labour must operate powerfully.

According to your experience and observation, has this disposition and faculty been increasing or otherwise?—It has been increasing since I first knew India, considerably.

Assuming, that under an open trade, access to every description of British subjects would be given to India, including artificers of various descriptions, and looking to the immense disproportion in the price of labour between that country and this, are you of opinion, that this disposition to manufacture what are called European or British articles, may increase to such a degree as materially and seriously to supersede the necessity of importation into India of such articles?—I have of late perceived, on the part of traders of the city of London, what I consider too great an inclination to become merchants; and I do believe, that there are many of them, and many of the mechanics, who, if they had the power of establishing an agent in India, would consign some goods to him, and send out some raw materials for him to manage there, and in consequence of the low price of labour in India, they might get them wrought up so as to undersell any thing exported from this country.

Under the circumstances of an open trade and unlimited access to some or all

of the ports in India, do you apprehend that such a course of things would take place?—That must be matter of opinion; but I am decidedly of opinion that it would tend to that effect.

Have you had any opportunity of being acquainted with the nature of the trade to the Eastern Archipelago, or any of the islands in the eastern seas?—I have been at Sumatra, I have been at Java and Batavia.

Has it been an endeavour on the part of your house to increase the export of British manufactures to any of those Eastern Islands?—There has been at all times a desire on the part of our house to increase our trade, because we have had, during a great part of the time, a surplus capital. We wrote to our correspondents in India to ask whether there was a chance of doing any good business in the Eastern Islands, and we were informed by them they had tried the experiment; that there was a great glut of goods at Madras; that they had sent the goods to Banda and Amboyna, and had found the sales not productive of profit.

As far as your knowledge has extended, as to the success of such attempts to export British manufactures to the Eastern Islands, have they or not succeeded?—They have not.

Is it your opinion that the Eastern Islands are amply supplied with such British manufactures as they require, and at as cheap a rate as could be reasonably expected under the circumstances of an open trade?—I am of opinion so; and my reasons for having formed that opinion are these: lately I had a ship, which it would have been my interest, as an owner, to have sent to Batavia, but the captain of the ship remonstrated, that he would be a loser by going there, as the demand for European goods was so small.

If every subject of the United Kingdom had access to the whole of the Eastern Archipelago, could the successful export of British manufactures be increased to those ports?—I think not; the Company have granted licences to a class of ships within the last two years, between twenty and thirty, to go to the eastward of the Cape of Good Hope; some of those have gone to the Isle of France, and from thence to Batavia, looking more to the homeward-bound cargo for profit, as I am led to believe.

Are you of opinion, that the cargoes of two vessels of 350 tons burthen, or thereabouts, consisting of British manufactures, would be more than enough for their annual supply?—I am decidedly of opinion, that two vessels laden with British manufactures would be more than ample for the supply of all the Eastern Islands: my reason for thus thinking is, that I was at Batavia some years ago; the ship that I was in arrived there first; she ran away from the fleet, in the hope of getting to a good market, knowing that if the three ships which left England together should arrive at the same period, they must hurt each other; the ship that I was in arrived there first; she did sell part of the goods that she had, but could not find a market for the whole; the other two came in about three weeks afterwards, and I believe they did not, between them, sell to the extent of a thousand pounds in amount.

If the trade were thus thrown open to the eastern seas, do you entertain the least doubt of every commander of a ship being able to supply himself with tea, if such were the object of his speculation, without going to Canton?—I am decidedly of opinion that he would have the power of obtaining an ample supply of tea, because the Chinese junks might bring it down to either Java or Sumatra, and I think, for lucre, the Malays would give all possible aid.

The Committee is to understand as your opinion, that though hopeless, as to the increase of the export of British manufactures to the eastern seas, you have no doubt of the means of an unlimited purchase of teas therein, without going to Canton, should the party be so disposed?—When I was at Batavia, tea might have been purchased in almost any quantity; the Chinese junks bring it from Canton to Batavia; and I have no doubt whatever, if you were to hold out to them an ample inducement, you may have it in any quantity you please.

Have you happened to make any distinct experiment as to the export of woollens, to see with what advantage you could export them to India?—Yes, I have. I had occasion to send out certain supplies for the army in India, among the rest I sent out the facings for their clothing; I have sent out at different periods prior to 1800, a large quantity of woollens, but I found that the Company at all times could undersell me.

To what do you impute their thus un-

derselling you?—I presume a determination on their part to get rid of a certain quantity of goods, because I do not believe that they purchased upon better terms than I did.

Do you mean from an anxiety to dispose of a certain quantity of British produce or manufactures?—What the motive of the Company may have been, whether a patriotic motive, or whether in pursuit of gain, I shall not take upon myself to presume; but the fact was, that they did undersell me, and I am of opinion, that they must have lost by the sale of those cloths, because I am decidedly of opinion, that my purchases were as favourable in this country, as theirs could have been.

Were you induced to repeat the experiment, or did you abandon the hope of rivalship with the Company?—No; I think it would have been idle on the part of an individual merchant, to attempt to cope with the sovereigns of the country.

You mean that, with that sort of patriotism on the part of the Company, those attempts to give every possible chance to the export of British manufactures, you could not encounter without being a commercial loser?—My object in exporting to India, was at all times in pursuit of gain; I had no other object; for a merchant, when speaking as a trader, to boast of his *amor patriæ*, is idle; I found that I could not cope with the Company.

Referring to your known high character and station in society, have you the least personal interest, one way or the other, in this question, between opening the trade to the out-ports, or keeping it as it is?—You put the question seriously to me as a gentleman; I will tell you, it was impossible for government to have drawn a plan more beneficial to my individual interest, than the propositions that have been laid before the House of Commons, and I will tell you why; I am the chief proprietor of two 1200 ton ships, if the advantages connected with the patronage of 800 ton ships are done away, it makes them much more valuable as to the patronage; I have a small ship now engaged in the Company's employ, which I am very desirous of disposing of, and I think others carrying the trade on, may give me an opportunity of selling her on more favourable terms.

Then, as far as you have a personal interest, it would be to support the resolutions proposed to the House of Commons?—It would.

(Examined by the Committee.)

What description of goods were your consignments to Bombay composed of principally?—They consisted of a variety of goods, wines, brandies, and other articles; it is a detail of trade which my partner manages more than myself; I believe, hats, shoes, pickles, confectionary, and cabinet ware, have formed a part; but I know there was a quantity of wines and brandies.

Have not you heard of such articles being frequently sold in India, on their arrival, at a very great advance?—Many years ago they did so; but of late years I have not heard of any selling at a great advance.

What kind of goods would you take to China, as a remittance for the purchase of your returning investment?—In the present state of the China market, I should be more disposed to take specie than any goods; but if I did take goods, they should consist of lead, furs, smalts, and glass ware.

Are there no other British manufactures you would be disposed to take to China?—Excepting glass ware, I do not recollect any thing that I think would be productive of profit.

Is not the trade to China in woollens considered a losing one, on the part of the Company?—I have heard it so rumoured, but I have had no means of ascertaining the fact.

To what extent do you suppose a commander of an Indiaman would take woollens to China, if he were permitted so to do?—That is so much matter of opinion, that I can scarcely say it would depend upon the man; some of them are prudent traders, others are more speculative.

Would not you yourself prefer taking woollens to any other article, particularly camlets?—Having made one experiment in opposition to the Company, I should not feel disposed to try a second.

Would not, in your opinion, the export of woollens and tin by the commanders, and officers of the honourable Company's ships, be considerably increased if the Company were to withdraw the restriction upon the exportation of them to China?—Perhaps, from necessity, they may be induced so to do, because, I believe, all of them have not sufficient command of capital to purchase a sufficient quantity of specie in this country, to buy their return cargo.

Are you sufficiently acquainted with the produce of the islands in those seas, to know whether any quantity of tin might not be procured from Banca, at a considerably lower rate than it could be imported from Great Britain?—Yes; I believe large quantities of tin may be obtained at Banca, and carried to China, so as to undersell that sent from Great Britain.

Supposing a merchant to go to India for the purpose of a return cargo from thence, would he not be satisfied to receive prime cost on the exports from this country to India, if the returns yielded him an adequate profit upon the whole voyage? I presume that the original object of the merchant would be, to obtain a fair return of profit; and whether it was derived from the outward bound investment, or the homeward bound cargo, would be a matter of perfect indifference, so that ultimately, on the return of the ship, a fair profit was produced.

Has the manner in which the Company have supplied tonnage to the manufacturers for exports from this country been such, as, in your judgment, to give sufficient encouragement to our manufacturers to export their goods to India?—I am of opinion that sufficient accommodation was given to the public under the Act of 1793; there may have been some little trouble as to the forms of office, but I know enough of the India House, generally speaking, to say, that the heads of the offices are a set of very respectable men, I think quite equal to any of the public offices of government, and I have never perceived any difficulties wantonly thrown in the way. In the shipping office difficulties may arise with the clerk, shoemakers, and cabinet-makers, or men not acquainted with the forms of office, coming in and making a demand at the same time, has occasioned obstructions to a man acquainted with the routine of his business, and who would not give any trouble if he could get access to the clerk to whom he should go; but, with making fair allowances, I think ample accommodation has been given, and the best proof I can adduce is, that the Act says, the Company shall grant 3000 tons per annum; now, upon the average of eighteen years, the quantity used by the public amounts precisely to 1,211 tons a year.

Are you of opinion that a greater average amount of export would have taken place, if greater facilities had been given to the manufacturers?—I see that in 1807, 1808 and 1809, there was an increased demand, but in 1810 and 1811, there was a very considerable falling off; now I can suppose that to have arisen from men shipping who did not know the real state of the market, and who, about the period of 1809, and 1810, had discovered the fallacy of their expectations in making large shipments to India: however, there was in addition to this grant, of which the public did not avail themselves, an allowance granted in the year 1806, and I think that considerable losses have arisen. It is my opinion that the traders possessing capital, knowledge and experience, have withdrawn from it, and that shipments have been made by men who had not capital, some of whom have become bankrupts; the consequence is, that the loss arising from their speculations has fallen upon the industrious manufacturers or tradesmen, a thing which it appears to me extremely desirable to guard against; because if a man without capital says he will oppose me in trade, supposing I possess 10,000*l.*, and each of us has losses to the amount of 10,000*l.* I and my family are deprived of those comforts we possessed, but the speculator is precisely where he was, all he has to do is to become a bankrupt, and he starts afresh; I have been informed and believe, that there are underwriters, who attend Lloyd's, that have been twice bankrupt.

Is it within your knowledge, that the manufacturers of British articles have themselves been the shippers, or have desired to be the shippers, or whether the articles which have gone, have generally gone from merchants and other adventurers to India?—It was the object with those who did ship such goods to conceal the matter of fact from the merchants, because it would interfere with the sale of the merchants' consignment, which they had purchased from them; but I have been informed, that some of the manufacturers have exported on their own account; I have heard that sir Robert Peel did to a large extent: I believe that some of the minor manufacturers in London have exported goods on their own account, but as it was an object to them to conceal that from me and other merchants, who had given them orders, I have not known it from them.

Do you conceive this to be an experiment made once or twice, or that they continued in this practice from year to year?—Of late I understand they have

discovered it an unprofitable attempt, and have desisted.

You now speak of the manufacturers themselves?—I rather speak of the traders than the manufacturers; I am not so well formed as to what the manufacturers did, except in the instance of sir Robert Peel, as I am of the traders who call themselves manufacturers in London, manufacturers of hats and manufacturers of shoes, for instance.

Practically, in point of fact, if a man had to choose at this moment, whether he would send out his goods in one of the Liverpool or Bristol ships, or in one of the Company's extra ships, would the rate of freight and insurance to which he would be subject, in the first place, in the private ship, and in the second, on the Company's ship, vary, and to what degree?—That is a matter of calculation: I believe the Company charge to the public 8*l.* per ton; I believe they are not gainers by the freight that they let to the public; I have been informed, and I believe accurately informed, that their loss upon ships that they have freighted from individuals, and relet to the public, between the year 1795 and the year 1810, has amounted to 444,293*l.*; I think no Liverpool, Hull or Bristol merchant, could export goods to India cheaper, taking insurance and every thing into consideration, than he may at this time through the Company.

In what way do you suppose the ship owners to be ultimately indemnified for those tenders, at rates apparently losing?—They are not indemnified; they are losers.

How come those tenders to go on?—Because the ship owner having got his ship into that line of service, has of late found a difficulty in getting any other employ for it; and there may be other inducements of a nobler nature, such as serving young men who have been patronized by the ship's husband; the captain of my ship happens to be a Welchman, and on that account, as a countryman of mine, I have made up my mind to make a considerable sacrifice for his benefit.

You understand it to be worth while for an owner who wishes to serve a captain, to lose a certain sum of money to place that captain in the command of a Company's ship?—No; I do not understand it to be worth while to do so; but an owner having placed a young man once in the command of a ship, he, in consequence of attaining that situation, having married an amiable woman, and got a family, the owner afterwards may feel disposed to sacrifice a sum of money for the benefit of that family, and keeping the young man in a situation that he has filled with credit to himself and service to his country; such were my feelings when I made an offer of this ship on a second voyage to the East India Company; myself and partner are proprietors of twelve sixteenths of that ship, as we are of what other ships we have, except one, and in that we have eleven. I have a great respect for some of the captains that have served us, and I should be extremely sorry to see a man lowered from the situation that I had been the means of placing him in, and leading his family to expect he for years would continue in. When I first bought this ship it was in the hope of gain; the freights were better then, and I did hope they would increase, instead of which they have fallen off.

Do you think it possible, as a merchant, this system can go on long?—I am of opinion that the system of the Company obtaining freights on the very low terms they do at present, cannot last so long, because, I presume, no man would keep his ship in that employ longer than until he could find a more profitable one for her.

Do not the Company take up their ships by public contract at the lowest bidding?—The executive body of the Company act in the most correct and honourable way; the fault is not with them; it is the competition, it is the want of employment in other services; a merchant says, it is better that I should gain 20,000*l.* by my ship, though that will not remunerate me, than that I should not gain any thing for twelve months, or that I should embark her in a service where I shall only gain 15,000*l.*

In general when a ship is engaged to the Company, is she not engaged for six voyages, extending probably fifteen years, so that having once made an engagement they cannot alter it?—I have built two ships for the Company; my contract, prior to the keel of those two ships being laid, was for an engagement of six voyages, but the ship I have been last speaking of was engaged for one voyage only; but in general the contract is for six voyages, and the only terms on which I could be tempted to come into any engagement with the Company again as a ship owner.

May 7th.

William Stanley Clarke, esq. was called in, and examined:

Mr. *Impey*]—Are you in the sea service, or have you been in the sea service of the East India Company?—I have, more than 25 years.

Have you been commander of a regular ship of the Company's service?—I have; six voyages, during about 15 years.

In consequence of having been so long in the Company's service, are you acquainted with the Indian trade?—Generally so, of that part of it which commanders and officers of our ships are accustomed to participate in.

You have regularly made use of your privilege as an officer in carrying out investments to India?—Invariably.

What has been the assortment of goods of which those investments have consisted?—A general assortment, consisting of staples and in short, of every description of merchandize suited to the Indian markets.

Principally English produce and manufacture?—Yes, principally so.

What British produce and manufacture are suited to the Indian market?—The staple articles are iron, lead, and copper; the miscellaneous, wine, beer, hams, cheese, &c. and in short, a great variety of articles suited to European consumption.

What articles of British manufacture?—Almost every kind of British manufacture; such as sadlery, glass ware, and also furniture, in a small degree.

Any woollens?—Woollens are prohibited to the commanders and officers of the Company's ships.

Do you think any private trader can carry out British produce and manufactures to India with the same advantage as the superior officers in the Company's service?—I conceive, certainly not. They are granted a certain privilege by the regulations of the East India Company, by virtue of which, they carry out their investments free of all freight.—They insure at the same rate that the Company's ships are generally insured; certainly I believe at a lower rate than ships of a smaller description, and of less force, would be subject to.

Can you state to the Committee, whether the investments carried out from this country by the Company's officers, have of late been profitable to them, or otherwise?—The profitable result of the investments carried out from this country, is very dependent upon the state of the markets, and the markets of late years have generally been so fully stocked, as I believe to yield a very moderate advantage. I have in my possession a letter from a captain of one of the ships that went out in the last season to Madras, in which he describes his great apprehensions of suffering a very serious loss from his outward investment, in consequence of the great glut in the market of all European articles.—I do not mean to say that the markets were always overstocked in my time, but I think generally, they have been so much so as to yield but a small return under the description of profit.

During the time you were employed in the Indian service, did you observe that any new articles of British manufacture, or produce, found a market in India, or were demanded there?—I really am unable to name any new article: I certainly myself tried an experiment in carrying out some Manchester goods to the amount of about 1,000*l.* on two of my voyages, and it assisted the disposal of the rest of my investment, by making the assortment more general, but I believe merely to that limited extent that I could have hoped for a market, and that chiefly for the consumption of Europeans.

In your opinion, if a free trade were opened between this country and India, would there be any increased demand, either among the natives of India, or among Europeans, for British commodities?—I apprehend not among the natives.

Do you apprehend there would among the Europeans?—I think that would much depend upon the possibly increased number of European residents, and the consequent increased number of consumers.

From your experience, do you think that the capital that is now employed by the Company, and by private merchants in the Indian trade, is fully adequate to embrace it according to the present demands?—According to the present demands, I should say certainly.

Are you well acquainted with the islands in the Indian Archipelago?—I have been through several of what are called the Eastern Straits, and I have also visited the island of Amboyna, and Ballytown, in the Straits of Allas; the native name is Lobougee.

Do you apply the term the Eastern Islands, to the whole of the Archipelago, or

only part of it?—I believe the Straits of Macassar are considered by navigators the western limits of the Eastern Archipelago.

State to the Committee, whether the inhabitants of those islands are of a mild or of a ferocious disposition generally?—The natives of the islands of Celebes and Borneo are said to be ferocious; I speak not from personal knowledge of them; those with whom I had intercourse in the Straits of Allas were a courteous and civil people, but still when there a single ship, we used great caution in our intercourse with them, to guard against any disposition to treachery.

Has it not been found by experience, that they generally have a disposition to treachery?—I believe generally where they have any interest to become so, or their resentment is excited.

Are they not what may be considered a barbarous, rather than a civilized people?—I certainly so consider them.

What is the clothing of the natives?—Of the simplest description possible; they wear a garment round their middle, and a turban or light cap upon their heads, which I believe form the principal, if not entire, part of their clothing.—They are of cotton cloths of their own manufacture.

What articles of European produce or manufacture, in your opinion, can be disposed of amongst them?—I am really unaware of any articles of European manufacture, unless it were a supply of ammunition and fire-arms, which are a prohibited article; when I was in the Straits of Allas, for poultry, and such minor description of provisions, we found they would accept in exchange to a certain extent of knives, and such articles of coarse cutlery; for bullocks and provisions of a more expensive kind, we paid in dollars; commercial dealings we had none.

Is there any the least chance of disposing of woollen goods of this country to any amount, among those islands?—I think not.

Do you think the ports of those islands have been already fully explored, in a commercial point of view?—I apprehend the country traders have been most active and enterprising in endeavouring to explore them in every possible way, with a view to any advantage they might have derived from them.

Supposing a private trader of this country were to send out a ship of 400 tons to those islands loaded with British produce, how long do you think it would take such a trader to dispose of his cargo?—In my opinion, he would not be able to dispose of it at all; and it would be highly essential that his ship should be extremely well armed, as are the country ships which go on that description of voyage.

Are not the Eastern Islands governed by petty rajahs, who are extremely jealous of, and hostile to each other?—I have understood so.

So jealous, that the trading with one of them would be likely to excite the hostility of others?—I think it would be likely to become an object of contention between them.

Do you then think that the Eastern Islands could be to any British merchant an object of fair trade, with a view to commercial profit, upon any rational principle?—With a view to the sale of British produce, I shou d say, certainly not.

Supposing a British merchant to send his ships to those seas, do you think he could get teas in those seas, supposing the China trade still to be confined to the East India Company, and supposing an illicit commerce to be a part of his object?—There would be certainly no difficulty in obtaining teas, if it became an object to obtain them among those islands.

Is not the high duty on tea, and the high price in consequence, the strongest possible inducement to smuggling in that article?—No doubt it must operate as a great temptation.

State to the Committee, how in your opinion a trader, having such illicit objects in view, would obtain teas in the Eastern Islands?—I apprehend, if such was their object, they might obtain them with greater facility from Manilla, or some of the ports towards the Straits of Malacca, or even in Java.

Taking Manilla first, through what vessels do you imagine they would obtain such illicit cargoes of tea, at Manilla?—They might do so, by means of the Chinese junks, or probably by the aid of Portuguese or Spanish ships from Macao.

How do you imagine they would obtain such cargoes of tea either at Java or towards the Straits of Malacca?—There is a constant intercourse between China, Cochin China and Java, as well as the Eastern Islands, by means of the Chinese junks; and country ships returning from China, pass through the Straits of Malacca, and could certainly land any quantity of teas at the intermediate ports.

Are there not Chinese colonies upon the northern coast of Java, with which, by means of their junks, the Chinese have constant communication?—I understand there are.

Would there be any difficulty in obtaining tea to any amount that is likely to be required, either from the Hong merchants, or what are called the outside men, in China?—I believe tea might be obtained in any quantity.

Do you know the fact, that the East India Company have the choice of the best teas?—I have understood them to have the selection of all the teas that come to Canton.

Supposing an illicit commerce in tea to be carried on to any amount, is it your opinion, that the teas so introduced into this country would be of a very inferior quality?—I should think they would be very inferior to the Company's teas, much might depend, however, upon the judgment and capability of selection, of the parties who purchased them.

Do you know any thing of the island of Banca and its produce?—The produce of Banca is principally tin.

Do you know whether the island of Banca produces tin in any considerable quantities?—I understand it to do so.

Have you the means of information whether that tin is easily obtained from the mines in the island of Banca?—I apprehend it to be so, but I never visited Banca myself.

Have you heard whether that tin is smelted easily or with difficulty?—I have heard easily; but I speak from general information.

Have you heard that the Chinese have in a very great degree been supplied with tin through the Dutch, from the island of Banca?—Yes, in former times.

Do you know whether the Eastern Islands produce iron?—I am told they do, some of them.

Do you know whether the iron instruments and arms used by the natives of those islands, are manufactured by themselves from their own iron?—I believe chiefly by themselves; I have also understood that they formerly obtained an occasional supply from the Dutch, of ornamented fire-arms; indeed I saw some of that description in the Straits of Allas, when I was there.

State what return cargo a merchant trading to the Eastern Islands could find there for Europe?—I am not aware of any thing; unless a quantity of mother of pearl shells, a small supply of tortoise shell, and perhaps some spicery; on the islands called the Fejee Islands, there has been found a small quantity of sandal wood, which the American traders have brought to China of late years, but very inferior in quality to what is sent from India.

Lieutenant-Colonel Sir John Malcolm was called in, and examined by the Committee:

Do you wish to correct any part of your evidence?—In page 109 of my examination, a question was asked me, "Might not an increase in the knowledge of useful arts in the natives, conveyed by British subjects resident in India, tend to strengthen the British government in India?" my answer, was, "I conceive that such knowledge might tend, in a considerable degree, to increase their own comforts and their enjoyment of life; but I cannot see how it would tend in any shape to strengthen the political security of the English government in India, which appears to me to rest peculiarly upon their present condition;" I wish to add, that I mean by stating that the political security of the English government in India, appears to rest peculiarly upon the present condition of the native subjects, to refer to their actual divisions into casts, with particular duties and occupations, and to that reverence and respect which they entertain for Europeans, not only on account of their knowledge of the superior branches of science, but also of their better knowledge of many of the mechanical and more useful arts in life; and therefore, though I conceive that the communication of such knowledge to the natives would add to their comforts, and their enjoyments of life, and would encrease their strength as a community, I do not think that the communication of any knowledge, which tended gradually to do away the subsisting distinctions among our native subjects, or to diminish that respect which they entertain for Europeans, could be said to add to the political strength of the English government. I am far, however, from stating an opinion that the contemplation of its even lessening that strength, which is to be viewed as a distant, and many may conceive, a speculative danger, should operate as a motive with the English government to check the progress of im-

provement in such useful arts among its native subjects; but it appears to me one, among many other causes, that should keep the English government very awake to the growing difficulty of governing the Indian empire.

Are not you of opinion, that to increase the comforts and enjoyments of life of the native population of India, would tend to strengthen their attachment to the British government, and consequently to strengthen and insure the stability of that government in India?—From all I have ever been able to observe of nations, I do not think we can calculate upon gratitude for benefits of the nature described, as an operating motive that would at all balance against the danger of that strength which such a community as that of our Indian subjects might derive from the general diffusion of knowledge and the eventual abolition of its casts, a consciousness of which would naturally incline them to throw off the yoke of a foreign power; and such they always must consider the British in India; I wish to be understood as alluding in this answer to a danger that is very remote, but yet, in my opinion, worthy of attention.

Are not the natives of India, in your opinion, susceptible of gratitude in the highest degree; have you not known instances of generosity and liberality on the part of the natives of India which would have done honour to any men in any age?—I think the natives of India, individually considered, are susceptible of gratitude, and I have known many instances of liberality and generosity among them; but I do not conceive that we can, as I stated before, calculate upon such motives as likely to influence the community, which we shall always find it difficult to rule in proportion as it obtains union and possesses the power of throwing off that subjection in which it is now placed to the British government.

What is your opinion of the general character of the natives of India for honour, fidelity, and veracity?—I have, in my former evidence, stated, that the various communities of our subjects in India differ as much, perhaps, as the various nations in Europe. It is only possible, therefore, to give a general answer to this question. I have observed, not only throughout India, but in all the different governments in Asia, which I have travelled over, that, speaking generally, the veracity of the subjects has depended very much upon the government under which they were placed: where that was tyrannical, the oppressed subjects have had recourse to falsehood, as the means of defending themselves against oppression; and I have known in Mahometan governments, a thousand cases in which the falsehood was persevered in by heads of villages and other men, (though torture even was inflicted) with a view of saving their own daughters, and those of the persons in the village, from violation, or their property from plunder. In such situations and conditions of life, falsehood almost became a virtue; and men, amid such scenes, acquired a habit of concealing the truth in all points connected with their own property, or that of the persons immediately under them. When a government that regards justice succeeds to such tyranny as I have described, it requires many years before its subjects can believe that it does not mean to exercise its power in the same manner to which they have been accustomed, and changes in the habits of a nation must be gradual. It is also to be observed, that the officers of the English government, though many of them speak the language of the natives what is called tolerably well, have seldom that very minute knowledge of the idiom of the different dialects of India that can enable them fully to understand the story of a low or an ignorant native: and it is, in my opinion, to the habits arising out of former oppression, and to the want of a full knowledge of the language in those with whom they communicate, that we must refer most of those general and indiscriminate accusations against our Indian subjects, for falsehood as a national vice. I have hardly ever known where a person did understand the language, or where a calm communication was made to a native of India through a well informed and trust-worthy medium, that the result did not prove that what had first been stated as falsehood had either proceeded from fear, or from misapprehension; I by no means wish to state, that our Indian subjects are more free from this vice than other nations that occupy a nearly equal condition in society, but I am positive, that they are not more addicted to it. With respect to the honour of our native subjects, it is (as that feeling is understood in this country) chiefly cherished by the military tribes of India; among them I have known innumerable instances of its being carried to a pitch

that would be considered in England, more fit for the page of a romance than a history: with regard to their fidelity, I think, as far as my knowledge extends, there are, generally speaking, no race of men more to be trusted; I can mention large classes of menials, such as the Gentoo palanquin-boys at Madras, who amount to 20, or 30,000, and a great proportion of whom are employed by the English government, or the individuals serving it, who, as a body, are remarkable for their honesty and fidelity; during a period of nearly 30 years, I cannot call to mind one instance being proved of theft, in any one of this class of men, whose average wages is from three rupees a month, to eight rupees, or from 7*s.* 6*d* to 1*l.* I remember hearing of one instance of extraordinary fidelity; where an officer died at the distance of near 300 miles from the settlement of Fort St. George, with a sum of between 2 and 3,000*l.* in his palanquin: these honest men, alarmed at even suspicion attaching to them, salted him, brought him 300 miles to Madras, and lodged him in the town major's office with all the money sealed in bags. Among the natives in our military, I can speak the feelings, I believe of all officers well acquainted with them, that it never enters into our contemplation that we are to be deceived or defrauded by a seapoy; and as far as I can judge from the character of that class of men, what the rest must be (wherever they have equal confidence in the Europeans who communicate with them as the seapoys have in their officers) I should state that there are few large communities in the world, whose dispositions are better, or (speaking to the virtues described in the question) more praise-worthy: it may also be stated as a general proof of their possessing those qualities, the attachment which almost all European masters who reside in India feel for their native servants: this feeling, amongst those who understand the language, and who are, of good temper and character, is almost without an exception: I may be allowed to add a circumstance that took place in my own family when ordered to Persia in 1800, I had, from the public situation I held, a numerous retinue of native servants, consisting of between 20 and 30; among these were men from the furthest boundary of Hindostan to cape Comorin, and of almost all casts and religions: I told them I was going to Persia, and I am certain, from their total ignorance of geography, that they had no more idea of the quarter to which they were about to proceed, than if I had told them I was going to America; but there was not the slightest objection made by any individual to follow me to that country, and I am sure that they showed this attachment to me from nothing more than that common good usage, which never has, in any instance that I recollect, failed of attaching them.

You spoke of the attachment of the native troops to their officers, do you think that attachment is as strong now, particularly in the Madras army, as it was some years ago, or have any events lately occurred that have shaken that attachment?—I fear many events have occurred in the Madras army, which have very seriously shaken that attachment, some of these have arisen from remote causes, and others, out of recent circumstances, upon which I conceive it is not necessary for me to dwell.

Do you conceive that the good feelings and sincere attachment to the native officers of that army are essential to the continuance of our military power in India?—I conceive that our native army in India may be said to form, at once, the safety and the danger of that empire; and I conceive that the native officers are the great and important link by which we must expect to hold that army in good order and subordination to our government: I therefore do conceive, that the good feelings and attachment of the native officers are quite essential to the continuance and security of our power in India.

Do you deem it of importance to the security of our Indian empire, to study every means that can strengthen and confirm the attachment of the native officers?—I do; and I consider, after the fullest deliberation that I have been able to give that subject, that if we do not succeed in effecting that object, it is quite impossible we should be able to maintain our empire in India.

Is it your opinion that the attachment of this class depends entirely upon the measures adopted by government for their encouragement, or do you think it liable to be seriously affected by any defects in the constitution of any part of our European military establishment attached to those corps?—I do not think that any measures of government, however wise and however calculated, in an abstract point of view, to effect the object, could do so, unless they were combined with

such as remedied any existing defects, and prevented the occurrence of any hereafter, in the European part of the establishment, because it is, after all, upon the conduct of the European officers that we must chiefly rest, and they will always be considered by the natives as their immediate superiors, from whom their feeling will naturally take its colour; and any defects in one part of the system must consequently prove baneful to the other.

Do you think it would be advisable to change that part of the military system by which native officers sit on courts-martial for the trial of offences in the native army, and to appoint European officers to that duty?—Though I have never, during the course of my service, had proof of any substantial act of injustice resulting from native officers sitting on a court-martial, I have often heard it alleged, that they were too ready to give way to the wishes of the superintending European officer, from feelings of submission and respect to that officer; but it is to be observed that officer is almost always the adjutant of the corps, and generally one of the most experienced in it; but supposing that more substantial justice should be obtained, in some instances, by European officers sitting as members of courts-martial upon natives, I should still state that I think it would be very improper to make any such alteration in the system: my reasons for this opinion refer as much, if not more, to political than military considerations.

Have you had an opportunity of observing how the interpreters in the courts of justice in India, at the different presidencies, are qualified for the situations which they fill?—I never was in any court of supreme justice in India, except that at Bombay, where my able and eloquent friend sir James Mackintosh presided; and I certainly did not think the native interpreter employed at that court very adequate to his duty; indeed the only instance to which my memory can at present refer, was noticed by sir James Mackintosh himself, and a gentleman who had knowledge of the language, and happened to be in court, was sworn in by desire of the judge to examine the evidence: I may add, generally, that I believe there are not fifty European gentlemen in India fully qualified, from their minute knowledge of the idiom of the vulgar dialects of the natives in India, to give a completely correct translation of the evidence of a native cross-questioned in one of our courts of justice. This, however, is merely given as my opinion.

Might not, in your opinion, a competent interpreter be obtained in the course of a few years, if sufficient encouragement were given to Europeans to qualify themselves for that important situation?—The defect of native interpretation arises from their want of correct knowledge of the idiom of the English language; that of Europeans from their want of correct knowledge of the different and local idioms of the native languages. It must be almost the study of an European's life, to render himself fully competent for such an office; and I conceive, nothing but the prospect of a large salary could induce any European of respectable talents, to devote his whole time to the accomplishment of that object.

Would not, in your opinion, the important object of security to the lives and property of the natives of India justify almost any pecuniary consideration that might be necessary, on the score of salary, to obtain competent interpreters?—I am far from stating that I think the misinterpretation has, on any occasion, gone so far in any of his Majesty's courts of justice, as to affect either the lives or property of our subjects; because I do believe, from what I witnessed in the court of Bombay, that there is a patient investigation, and a minute enquiry into all the particulars of the case, that must be calculated (in almost all instances) to discover any such errors as may be made; but I do certainly think it is an object of great importance to have gentlemen possessed of the first knowledge of the languages, to fill that situation.

What salary, in your opinion, would be necessary as an inducement to an European gentleman so qualified, to undertake the important office of interpreter?—I really cannot state any sum, but I think it should be such as to make it worth while for a man of liberal education to devote his life to render himself qualified for the office.

Could not you form a guess from your general knowledge of the salaries and allowances paid to the officers of his Majesty's courts in India, what sum would be considered a sufficient encouragement to a gentleman, so qualified, to undertake that office?—I think the salary of a person employed as such interpreter should be inferior to none but that of the judges themselves who preside in the court.

Do you think it possible that substantial

justice can be dispensed without faithful interpretation of evidence?—I think that where a judge is fully aware that the interpretation is not minutely correct, the evil may be avoided by his careful and patient investigation of every question that is put to the evidence, and by his calling in, as the judge to whom I have alluded used to do, further aid whenever there was the slightest cause for suspicion of incorrect interpretation.

Are the judges in the courts in India supposed to have a competent knowledge of the language of the country; is it possible they can have such competent knowledge?—Generally speaking, I do not believe they have; but there are always, I imagine, officers of the court who have, and I conceive it perfectly possible that in most cases, a judge, who has given his whole attention to the subject, may be able to discover when there is any confusion in the interpretation: I am not able to give any clearer answer upon this point.

Is it within your knowledge, that the able and eloquent judge you have just alluded to possesses that competent knowledge of the languages of India?—Sir James Mackintosh does not understand the languages of India.

Have the goodness to state in what manner he was enabled to point out the defect in the interpretation of the evidence of a witness brought before him, to which you have alluded?—On the occasion to which I alluded, a Parsee inhabitant of Bombay was interpreting in the court at Bombay; he was interpreting an evidence that was describing what he had said himself, and in describing that, made use of the first person singular of an Hindostanee noun, stating, "*I* said so and so:"—In his evidence he proceeded to give an account of an English officer coming in, and the interpreter then explained the witness to have remarked, that the English officer said "*we* will do so and so;" on seeing the word 'we' noticed by some of the gentlemen of the law, and written down as if containing a proof that there were more than one concerned, I mentioned to sir James Mackintosh that the interpretation was incorrect, not from a want of knowledge in the interpreter of his own language, but from want of knowledge of the idiom of the English: that the native witness speaking of an English gentleman, used the plural term from respect, and on the witness being re-examined it was discovered to be the case. This is the only instance that I can call to my recollection.

Are you aware, that so much impressed was sir James Mackintosh with the necessity of having competent interpreters, that he applied to government to annex a sufficient salary to that office, to induce an European gentleman of respectability to undertake it; which salary, however, was so limited, that the gentleman who had undertaken it, Mr. Erskine, and who was considered as having a more competent knowledge of the various languages of India, than perhaps any other resident at Bombay, threw up the appointment, after having held it about two years?—I am not particularly acquainted with the circumstance, but have no doubt of the fact.

Are there not many of the military officers who have a very competent knowledge of the Indian languages?—The great majority of the officers have a knowledge of the languages competent to the fulfilment of their military duties; but there are but few who have that exact and complete knowledge of the language, which I should pronounce as requisite before a person was competent to act as interpreter in a court of justice.

Are you not of opinion, that if an adequate salary were to be held out to some of those officers, they would be induced to qualify themselves fully for the office of interpreter, and to undertake that appointment on being permitted by government to resign their military situations (if that should be deemed necessary), which probably would not be the case?—The existence of one office of that kind, with a large salary, and which was to carry away military men from the duties of their profession, could, I conceive, have but a slight operation (if any at all) in the encouragement of a large body of officers, among whom it never could be regarded as an object of ambition; but no doubt many individuals might be found, to whom it would, from its salary, be a desirable office.

What is the pay and allowance of a subaltern on the Bombay establishment?—I really cannot answer, without reference to papers.

Does it amount to 300 rupees a month?—Certainly not.

Are there subalterns of eight or ten years standing, in the service?—There are some, I apprehend, of much longer standing.

You have stated, that you had a num-

ber of servants of different casts in your employ, during your residence in India; did you not occasionally clothe those servants in European dresses?—During the last fourteen years of my service in India, which includes all the period that I was able to afford to give servants any clothing at all, I was employed in political situations, and my servants were generally clothed in woollens (as a matter of state) at the Company's expence.

Do you think those persons would have preferred their dresses, had they been made of the common comlie of the country?—I really cannot state how far their pride and vanity might have been gratified by wearing a red jacket instead of one of common cloth; but I can recollect no instance of their complaining, either of the one or the other, and they were seldom permitted to put on the clothing allowed to them, except on occasions where their services were required as state servants. With respect to comlies, I conceive they all had them, as a man has a cloak in this country, to use when it rained, or as a covering when they slept; but I never knew comlies made up as articles of dress.

Are these comlies used at all by the higher classes of the natives?—They make in some parts of the peninsula of India very fine comlies, that are used by the higher classes; the common black comlie is not used by natives who can afford to purchase the finer kind, or shawls.

Would not a native of consequence in India be ashamed to appear abroad in a common black comlie?—I do not think a native of consequence would wear the common black comlie as part of his dress; he might take up one to defend him from a shower of rain.

He would not wear it as a common article of dress?—No.

Would he have the same objection to appear abroad in English broad-cloth, which he would have to appear abroad in a common black comlie, as an article of dress?—He would consider a piece of English broad-cloth, if he had it, as a luxury, and an ornamental part of dress, and would have no objection whatever, I conceive, to wearing it.

Are you acquainted with the number of the native population called Portuguese or native Christians, in India?—I am not particularly acquainted with their number; if it is meant to include also what are termed half-casts, or the children of Englishmen by native women, it is a very considerable population, but limited chiefly to the principal settlements of India, and there even, if spoken of comparatively with the natives, it forms but a small part.

Are not the habits and dress of those people, generally speaking, European, and do they not always dress in European woollens, when they can afford to purchase them?—The dress of the better class differs very little from that of the European himself.

Do you know, or have you ever heard, what was the state of the native armies of the rajahs of Travancore and Cochin, when those princes were perfectly independent of the British government?—I never was at Cochin or Travancore, and cannot answer with any minute or correct knowledge to this question.

Have you heard that, at the period alluded to, the infantry of those princes was dressed in woollen cloth jackets, and their principal Hindoo officers in complete European uniforms, including hats, shoes and boots?—I cannot call to my memory having heard the fact with respect to the particulars of their dress; but I have heard there was a regular infantry, clothed and disciplined, belonging to the prince of Travancore.

Clothed in European woollens?—Clothed in European woollens, as I have heard.

Are you personally acquainted with the late Coorga Rajah, and do you know how that Hindoo prince used to dress himself when in general Abercromby's camp?—I was not acquainted with the late Coorga Rajah, and cannot, therefore, state how he dressed himself, but always heard that he was particularly attached to the English nation; that he was fond of our habits and manners, and he was, in this instance, deemed an exception to the general rule of persons in his condition of life.

Do you know how the nabob of Surat, and his minister the Bukshy, used to dress his troops and principal attendants when that prince was also in a state of independence, or have you ever heard?—I never was at Surat, and do not know, nor have I ever heard.

Can you state how Raymond's force in the Nizam's service was dressed, previously to the dissolution of that corps in 1798?—The greatest part of that corps was, to the best of my recollection, dressed nearly in the same manner as any corps in the English service.

Do you know, or have you heard, whether a considerable part of the infantry in

the services of the various Mahratta princes, were not also dressed in woollen uniforms, previous to the late Mahratta war?—I know they were, because I have seen several of the brigades in the army of Dowlut Rao Scindiah.

Can you state of what number those infantry consisted, or nearly so; did it consist of many thousands?—Certainly; those I have seen were probably in number seven or eight thousand men, and they were not above a fourth of the whole corps; but I cannot speak to any others being dressed in the manner described, from not having seen them.

Did any of the Mahratta chiefs, at the time you were in that part of the country, use British woollen cloth as mantles, or in any other shape or form, as winter dresses?—I do not recollect seeing them often dressed in woollens; they used generally to use it for their saddle cloths and floor cloths for their tents, but I do not believe that they had any objection to it, and no doubt many of the principal men in the Mahratta army might occasionally use it; but it was certainly not a general dress.

It was only used by the richer chiefs?—Only by the richer, quilted cottons and silks were a much more usual warm dress among the Mahratta chiefs and soldiers.

Do not the natives of eminence in India, both Hindoo and Mussulmen, use considerable quantities of broad-cloths in the housings of their elephants, camels, and horses?—They use it in the trammels and housings of their state elephants and state camels, not in those that are employed for burthen.

Have you ever been at Poonah on any great festival day, when the natives appeared abroad in great state?—I have been at Poonah several times, and I was on one occasion there on the Dessera feast, which is the festival at which the army at that city go out to plunder a field of grain, as a type of their national policy.

Is there not on those occasions a considerable display of woollen broad-cloth, particularly scarlet, used in the manner above described, by the natives?—I took no such particular notice at the period I have mentioned as would enable me to answer the question minutely; but I have no doubt they make a display of every showy article they possess on that occasion, and such they would consider scarlet cloth.

Be pleased to state how the Seiks, and the other northern nations of India, commonly dress, or whether they use woollens, particularly among the richer orders?—There is very little difference in the dress of the Seik chiefs from those of the other Hindoo nations in India, and I do not think that woollens were (when I saw them) a very common article of dress, certainly not more so than amongst other classes of the natives of India.

Are not great quantities of iron, steel, copper, lead, and tin, now in common use among the natives of India of all casts?—Certainly, all these metals are in use amongst them; I have no means of stating in what quantity.

Is not the cut glass ware of England very much admired by the richer natives of India, and are not their houses occasionally furnished with chandeliers, lamps, mirrors, and other articles of European manufacture?—The richer natives of India, perhaps, admire our mirrors and cut glass more than any other article we possess; and I have observed at the principal cities, such as Hydrabad, Poonah, &c. that a few of the princes and the richest officers of the court, used to purchase enough of those articles to make what they term an innah khanah, or room of mirrors. The walls of this room are covered with mirrors, and it is hung round with chandeliers; but cut glass and mirrors certainly are not articles generally possessed, even by the richest, and are always considered as articles of great shew and luxury.

Were not those articles, when they were procured, considered as objects of luxurious gratification?—Certainly, they appeared to be desired only as objects of gratification and curiosity.

Are not watches, prints, pictures, carpeting, elegant fowling-pieces, pistols, and other articles of highly finished execution and workmanship, also deemed objects of luxurious gratification by the richer natives of India?—The richer natives of India generally desire a watch or watches; as to pictures, they have so little taste that they often prefer the daubs of China to the finest works of the artists of this country; but perhaps China pictures are also recommended by their comparatively low price; the carpets made in India, and those imported from Persia, are I believe generally preferred to the European manufacture; fowling-pieces and pistols are desired by the principal chiefs; but with the exception of one or two princes, I have hardly ever known these articles purchas-

ed, though all the military chiefs in India are desirous of obtaining them in presents.

Have not you, particularly during your residence at Bombay, seen several of the richer natives dressed in Irish linen, or Scotch and Manchester cambrics?—I am almost ashamed to confess, that I am so very bad a judge of such articles, that I could not distinguish very well between the manufactures of India and those of the cloths described in the question; but I have no doubt many of them did dress in them, if they were cheaper, and the fabric equal to those of their own cloths.

Do you recollect whether they used the printed cottons of this country frequently in furniture, and the lower classes in articles of dress and in turbans?—I have frequently seen the printed cottons of this country in articles of furniture at the houses of the superior Parsee merchants, which were fitted up like those of Europeans, and many of the lower classes (particularly those called Portuguese) were very fond when they could obtain it, of wearing a fine printed cotton jacket, but I do not think this was, as far as I have observed, a general wear; the Masulipatam printed chintzes, were I believe much cheaper, and were an article of very great consumption both at Bombay, the Persian Gulph, and other countries in that quarter of India.

Are you quite sure that they were cheaper than the printed chintzes of England?—I am almost positively certain of the fact; I carried great numbers of both European chintzes and Masulipatam with me in all my different missions to Persia, to give in presents to different people who rendered service to the mission, and also with the view of giving them patterns of the different manufactures of England and India; and I can recollect, that the common reward of any small service was a piece of Masulipatam chintz, while I am sure that I never gave a piece of English chintz to any man who had not a title, or who was not a person of some consideration: the Masulipatam chintz is an article of very general wear all over Persia, and there is a considerable trade carried on between that port and the gulph. I did not observe, when on the last mission to Persia, that there was a demand for European chintz as an article of trade, or that it had become a common wear, though every means had been taken by me ten years before to give the Persians a taste for it; and as it seemed to me much handsomer and of better quality than the Indian manufacture, I can only refer its not being in equal use to its bearing a higher price.

Be pleased to state, whether the richer natives at the different presidencies of India do not commonly drive European carriages?—Some of the richer natives at our principal settlements drive carriages made in the English style; some of which are from England, and others, particularly at Bengal, made at the settlement.

Do you recollect, when you were last at Bombay, a carriage driven by Pestangee, a Parsee?—I do; it was a very fine one.

Just before you left Bombay, did not Pestangee buy another carriage that had been built for one of the sheriffs of London, or adorned in that fashion?—I believe he did; Pestangee had a great number of carriages, in which he used to ride himself, and sometimes to accommodate his friends when they were in want; and I am grateful enough to acknowledge being one that has often received this accommodation from him.

Had not another rich merchant of the name of Dady Mooda, at this time, also a very elegant carriage?—He had; I have had the use of his carriage also, when in distress for a conveyance.

Had not Ornagee, another Parsee, a very rich carriage?—I have no doubt he had, probably more than one.

Were not the smaller carriages called gigs, in very common use among the natives of India?—They were very common, but very few of those were of European manufacture, the others were a coarser imitation of the European gigs.

During your residence at Bombay, had you an opportunity of visiting the island of Salsette?—I often visited the island of Salsette.

Be pleased to state your opinion of the condition of that island, and the inhabitants, generally?—The improvement of the island of Salsette has certainly been very gradual and slow, and it has perhaps been in some degree neglected; the most substantial improvement that I have known within my recollection, was that of forming a causeway which connected it with the island of Bombay; there is also a good road for sixteen miles, to Tanna; another road was, I understood, in progress when I left India, to a different part of the island; but the inhabitants, generally speaking, did not appear to me in a state of that prosperity which might have

been expected from the vicinity of the island of Salsette to such a rich commercial settlement as Bombay; I am not, however, sufficiently master of this subject, to state either the causes that promoted the improvement it has received, or those that have retarded its attaining to a higher state of cultivation and prosperity.

Was it not considered to be in a considerably worse state than what was generally understood to be the condition of the island under the Portuguese government?—I really have not that minute information which would enable me to answer that question in a manner satisfactory to the Committee: I cannot state a vague report upon such a subject.

During your residence at Bombay, did you ever visit the Mahratta district of Basseen?—I never did visit it: I have seen it from the opposite shore.

Did you not hear, during your residence at Bombay, of the general state and condition of that district?—I have always heard it was in a very highly improved state of cultivation.

Are you aware of any reason, whether from soil, or climate, or geographical position, why Salsette should be in so inferior a state to that of the Mahratta district of Basseen?—Never having visited Basseen, I cannot draw a comparison; some parts of Salsette are very hilly and woody, and would, no doubt, require a considerable degree of labour to bring them into a state of high cultivation.

Is not Salsette generally, as far as you have observed, a very fertile soil?—I have seen some very fertile parts of it; but I am not sufficiently acquainted with the general nature of the soil to give a distinct answer to the question.

Have you heard that the causeway between the islands of Bombay and Salsette, alluded to by you, has had a prejudicial effect upon the harbour of Bombay, by interrupting the back tide, and lessening the depth of water in some places?—I have heard apprehensions stated, that such would be the effect; I have no information that enables me to say, whether it has had such effect, or not.

Are you acquainted with the manufacture of shawls in Cashmire, and the causes of their superior excellence?—I have, in the course of my investigation into the general history of India, translated what was considered as a very authentic memoir of Cashmire; and in that there is a chapter upon the mode in which the shawls are obtained, and what the natives of India deem the causes of their excellence; it is stated in that memoir, that the raw material is a wool, or I should rather say a down that lies protected by the coarse hair of a goat which is bred in the adjoining mountains of Thibet; this raw material, after being taken from the animal, is said to be made up in a small pack, which is put upon the back of the goat, and the animal is driven with his load into Cashmire, where it is manufactured. The inhabitants of that country are in the habit of attributing some part of the singular softness of the shawls to the virtues of one of the rivers in Cashmire, in which the wool is dipped; but this is evidently an idle story, of the same character as that which informs us that the only good porter is made from Thames water. It appears, however, certain, from all the information I have been able to obtain on the subject, that neither the former kings of Delhi (who are stated to have made several attempts to introduce the breed of this Cashmire goat into the upper provinces of India), nor the kings of Persia, have ever been able to succeed; a goat which I have seen, and which I am told somewhat resembles that of Cashmire, is found in the country of Kerman in Persia; and from its wool or down a shawl is manufactured, which, though very handsome, and sometimes comparatively fine, has never been equal to the Cashmire shawl; and it is a received opinion among the inhabitants of India and Persia, that that manufacture can never be rivalled in any other part of the world.

From your knowledge of British and Cashmire shawls, do you suppose there is any probability of the British rivalling the Cashmire shawls in the Indian market?—From all I have ever heard or seen upon the subject, I should suppose there was no probability whatever, as I never saw an English shawl that at all approached to the excellence of that manufacture, and as far as I was able to judge, the Persian shawl made from the wool of Kerman came nearer the Cashmire shawl than the English; and it may be judged how far inferior the Persian shawl is considered by the inhabitants of that country itself, when the king of Persia has found it necessary, with a view of encouraging the manufactures of his own country, to issue, within the last ten years, an edict prohibiting the use of Cashmire shawls to any persons in his dominions, except those of a certain rank, and

who shall have the royal licence for wearing them.

What would be the penalty upon an individual who was caught in an endeavour to avoid that prohibition?—He would either be bastinadoed, have his eyes put out, or his head cut off; it is impossible for me to say which of those three punishments would be inflicted.

What do you think would be the consequence of permitting British merchants to proceed to India under any licence except that of the East India Company?—I consider, that one of the greatest difficulties in the administration of our Indian government, arises out of the existing distinctions between the different classes of Europeans which its present constitution obliges us to have in that country. I allude to the distinctions which exist in the European part of the army in India, and those between the political government and the supreme courts of justice. These distinctions, however necessary, have been found liable to a collision which requires all the care and caution of the political government, and all the temper and talents of those who preside over the other departments, to prevent having a very injurious operation on the whole frame of our power; for when they come in collision, they exhibit a want of union, and a jarring in our system that is interpreted by our native subjects into weakness, and consequently makes a dangerous impression on their minds. From this view of the subject, I should consider, that permitting any body of men to reside in India, who were not nominally, as well as virtually, subject to the exclusive authority of the Indian government, would be adding another class to the divisions we already have of Europeans in that country, and one which I conceive, from its unconnected form, and, if I may use the term, undisciplined character, that would come in more frequent collision with the ruling government, than any of the classes I before noticed.

Is there not a great difficulty at present in governing the Europeans in India as well as governing the natives?—There is, I conceive, an equal, if not a greater, difficulty in well governing the Europeans in India than the natives.

In the event of the difficulty of governing the Europeans in India increasing, would, in your opinion, the difficulty of governing the natives increase also?—No doubt; those causes are so intimately blended, that it is impossible to separate their effects.

Can you form an opinion what effects the separation of commercial concerns from those hands in which the sovereign power may be vested would have on the interests of the British empire in India?—I can only generally state in answer to that question, that, in whatever hands the sovereignty of India is placed, I conceive it will always be essential that such should have a direct, efficient, and competent controul over every branch and department of the state; and that every means which shall increase its controul and authority over those by whom the commerce with India is carried on, must be beneficial to the welfare of the state. I do not consider myself as competent to judge on the lesser parts of this question, or to decide in what exact proportion, or in what manner the commerce between the two countries should be carried on.

Are you of opinion, that considering the odium at present attending the removal, by the magistrates at the out-stations, of British subjects residing there by licence from the Company, the regulations at present existing upon that subject would not be materially improved and more easily put in force, if any violation or evasion of the existing regulations by British subjects who may go there under parliamentary enactment, were *ipso facto* followed by their being sent out of India, subject to the remission of that punishment by the supreme government?—I am of opinion, from what I have observed, that the power vested in the local governments of India of sending a British subject to Europe, and that given to a magistrate sending him away from a district, is much seldomer exercised than it should be. It is quite impossible that any person educated in England, and whose breast is filled with the principles of British freedom, can dismiss those from his mind, so far as to exercise, without feelings of great compunction, very absolute power, however necessary such may be on the grounds of general policy. I have had occasion to remark in numerous instances, the extreme reluctance with which this essential power was exercised; and I do conceive that a regulation, which made it the positive duty of any magistrate (leaving nothing to his discretion) to send out of his district any European settled in it, upon the commission of a transgression against the regulations,

and which placed the power of remitting such banishment from the district in the government only, would be very salutary, both as it prevented any odium attaching to the magistrate, and as it compelled him to attend, on all occasions, to the law and not to his own personal feelings.

Can any judgment of the habits, characters, and inclinations of the natives in the interior of India, be formed from the disposition, character, and inclinations of the population of Bombay?—Besides the settled population of Bombay, travellers and merchants from every Asiatic country, resort to that port; and no doubt, a person disposed to acquire such information, may obtain it, as far as it can be obtained from a communication with the individual natives of those countries.

Do not you imagine, from the habits, pursuits, and manners of life of this population of Bombay, which consists of so many various descriptions of merchants, almost all in pursuit of gain, must be most materially different from the character of the natives in the interior, not so employed?—I have stated before, that there is a great difference between the character and habits in society of the natives of our principal settlements (of which Bombay is one) and those of the interior; and I conceive, that a person who has only resided at Bombay, cannot have a minute knowledge and information respecting the habits and manners of the natives in the interior provinces of India.

Are the articles in metal in use amongst the natives almost universally manufactured by the natives from the native materials?—A very great proportion of the metals manufactured by the natives themselves for domestic purposes are obtained either in India or from the Turkish dominions; I allude particularly to iron and steel, which are found in many parts of India: the latter in great quantities in the Mysore country; and copper, which is brought in considerable quantities down the gulph of Persia from the mines of Diarbekir; and tin is, I believe, imported from the island of Banca in the Eastern seas.

Is that iron and that tin, so imported into India, to be had at a much lower price than the same articles brought from Europe?—I cannot answer this question from minute information; but I must suppose, that as great quantities of those metals are imported from Europe, the importation from the Persian gulph and other places would cease, if it was not from its being cheaper, or of a superior quality.

Is the building of carriages in the European style as yet established at Bombay?—They as yet build very badly at Bombay; they build very well at Madras; but as I have, in my former evidence, stated, the manufacture of carriages at Bengal is, as far as I am a judge, equal to those made in England.

May 10th.

MARTIN LINDSAY, esq. was called in, and examined:

Mr. *Jackson.*)—You commanded a ship in the Company's service, did you not?—I did.

How many voyages may you have made to India, either as commander or officer?—Five altogether; twice to Bengal, and three times to China.

Have you had occasion to be at any other ports belonging to the Company, either the ports of India or in the eastern seas?—At Madras, in the way to China, and likewise in the way to Bengal; and one of the voyages I went what is called the eastern passage to China.

Had you occasion, during that voyage, to touch at any of the Eastern Islands?—Yes, I had; I went through one of the passages into the China seas.

Which of the islands did you visit in that passage?—In going through the straits of Allas, at the island of Lombock.

What were the principal articles you used to take to India?—A variety of articles; some of what are called the staple articles, and a variety of other articles, such as were commonly used by Europeans.

What articles did you take with a view to the native consumption?—Some glass ware.

Of what description?—Window glass, and some articles of table glass, tumblers and decanters, and shades; glass of various descriptions. The last voyage I made was in 1796, a voyage to China.

Are you able to say how far the more recent voyages have been successful as to their export articles?—Judging from the business which I have had to do for some captains and officers, since I myself left the sea, I am led to think they have not been very successful.

Have the more recent voyages, with which you have been acquainted, been successful as to their export articles?—Judging from the accounts that I have had,

I should say their profits were extremely moderate. What they carried out did not meet with a ready sale, and therefore they were obliged to sell it at a very moderate profit.

Do you happen to know whether, for several years past, there has been a very full market, and rather a glutted market of European articles than otherwise?—I have reason to believe there has.

From your acquaintance with India and the natives, can you form an opinion whether, in case of an open trade, there would be any probability of a greater export than has hitherto taken place of British manufactures or European articles for the consumption of the natives of India?—I have no doubt there would be a considerable exportation; but I do not think it would meet with a successful market.

State your reasons for that opinion?—From the articles that have been lately taken out by commanders and officers not meeting with a good market.

Is it your opinion, that the present system of commerce to India, has even more than fully supplied all the wants of that part of the world?—I should think it has fully supplied them, allowing any fair profit to the exporter.

You of course remember the exports to India being of a more successful description than they have been for some years past?—They were formerly, during the first period of my going to India.

From about what period has the export trade to India in British manufactures or European articles ceased, generally speaking, to be a successful speculation?—I think it has been a less successful one since the facility which has been given to the general merchant to send out in the Company's ships.

Do you mean that the facility so afforded, occasioned an export of European articles beyond the demand for them?—Fully equal, or rather more, keeping in view as a merchant, having a fair profit.

Among those with whom you have been acquainted or concerned, have any of them made losing voyages of it, as to the exporting part?—Yes, they have.

Looking to your acquaintance with the commanders and officers, has that been a frequent or a rare occurrence, that they should have lost by their export adventure?—It has not been frequent.

For some years past, are you to be understood to say, that where they have got any profit at all, it has been a less profit than you consider as a fair and sufficient profit to induce such an adventure?—I think that they would not begin a concern of that nature, though they are from their situation in life obliged to carry it on, having entered upon that line of life.

In those cases they look materially to the homeward investments, do they not?—Considerably; particularly China ships.

The captains and officers of the Company's ships are educated for that express purpose, are they not?—They are obliged to be a certain number of voyages in various situations, in order to enable them to get the command of a ship.

How many voyages must they go before they can be commanders?—Four voyages before they are eligible to the command of a regular ship.

Before being chief officer of them?—Three voyages.

Supposing, from so material a change of system as an open trade, the Indian trade should be conducted by other persons from the outports, would the commanders and officers of the Company have the means of easily resorting to other professions, or do you think they would be thrown out of employment?—No doubt they would suffer very materially from the competition that must come in against them.

You have stated, that you think the export trade to India has ceased to be advantageous since the increased facilities which were given by the Company; be pleased to state how those increased facilities have operated, so as to produce that effect?—By enabling them to send out a quantity of goods of various descriptions.

Did you attempt to make any sales in your passage, at either of the islands in the eastern seas?—In the last voyage I made to China, knowing I should go the eastern passage, sailing late from this country, I took out three or four articles which I supposed were most likely to meet with a sale in the eastern islands.

Name those articles?—Cutlery of different descriptions, and pulicat handkerchiefs made at Manchester; the red and blue check handkerchiefs, in imitation of the Madras pulicat handkerchiefs.

Any other British manufactures?—Some remnants of cloth; I do not recollect any others particularly.

Was the quantity considerable?—No, it was a few hundred pounds worth only.

Did you dispose of those easily and successfully?—No, I did not.

State the result of that adventure?—The cutlery I disposed of a small quantity for supplies or ships provisions; the handkerchiefs I disposed of a very small quantity; I was obliged to bring the greatest part of them back again, not being able to dispose of them at all, not even in the way of barter for provisions.

Did you try the Indian articles of the same kind there?—I had not any; it was in my way from Europe, and it was the first place I touched at from Europe.

You did not dispose of all the cutlery?—No, I did not.

What did you do with it?—I brought some home, some little was disposed of in China, and some little at St. Helena.

Do you remember the amount in value of cutlery?—About 120*l.* or 130*l.* and about 2 or 300*l.* worth of handkerchiefs in imitation of the Indian.

Did you endeavour to get money for those articles?—Money they had very little of, therefore I had no chance whatever; I endeavoured to dispose of them in the way of barter, buying cattle and vegetables and fruits for the use of the ship; I saw very little money.

What articles could they have furnished you, supposing they had been disposed to have bought your European articles, with what articles could they have paid you besides provisions for your ship?—Upon that particular island, they had very little, but on some of the adjoining islands I could have got rattans and betle-nut to have carried on to China.

The articles of barter, if you had bartered them, were such as would have suited the China trade?—Yes, the rattans and betle-nut would have suited the China market; but the island of Lombock is a very small one.

They would not have done to have brought to England?—Not at all.

Supposing you could have bartered in those seas to a greater amount, it would not have consisted of such articles as you could have brought by way of return cargo to England?—No, it would not from that island. Upon some of the eastern islands there are articles, such as mother-of-pearl shells and tortoise shell, that might have been brought to Europe as an article of trade, but in a very limited degree.

Would such articles be very limited in their degree, and very uncertain as to their success?—Very limited in their degree.

Supposing that every subject in every part of the United Kingdom had access with his vessels to those seas, and that the obtaining of tea were his object, do you apprehend that he would find the means, by proper arrangements, of getting as much tea as he might require, for the purposes of his speculation in those seas, without going to Canton?—I should imagine by a previous arrangement having been made, that the tea might be brought to various islands in the eastern seas, either by China junks, or by American ships, or by country ships.

What do you mean by country ships?—Ships that have gone from other ports in India to China, and probably if there was an arrangement made, they might bring teas to those islands, and take a return of rattans and betle-nut.

Looking to your own experience and the knowledge you have had as an agent, do you think it probable that any successful export of British manufactures could take place, at all material as to its extent, to the islands of the eastern seas?—Of British manufactures, I should think not.

Do you entertain the least doubt of its being utterly improbable that it should?—I have not.

Have you the least doubt of every commander being able, by proper arrangement, to obtain as much tea as he might wish to have in those seas?—I should suppose, by a proper arrangement, he might get it.

Without going to Canton?—Yes, with previous arrangement.

Must not every ship homeward bound from India be of necessity loaded with an assorted cargo of measurable or light goods, together with a certain dead weight for the purposes of ballast?—Almost all the ships that have yet gone, from their construction, require some dead weight to ballast them.

Would that dead weight generally consist of rice, sugar, or saltpetre?—Sugar I should imagine was the most likely article; rice I should imagine must be a very hazardous speculation; and saltpetre, I believe, is not permitted; of course sugar becomes the only article; if saltpetre was allowed, no doubt they would take it.

(Examined by the Committee.)

Do you know, from information which satisfies you, how far most of the different trades for the supply of European articles of furniture, such as coach-makers, cabinet

makers, upholsterers, workers in metals, taylors, shoemakers, and workers in glass, are established there?—I have understood there are in Calcutta, particularly, artificers of almost every description, manufacturers of furniture of different descriptions, very good shoes and boots, and almost every article in leather, and certainly of tailors there are abundance, also manufacturers of various articles in iron and steel, gold and silver; they make a great deal of the iron work necessary for shipping.

At present is there any establishment of revenue officers in the eastern islands, or any method for securing the revenue by manifests and clearances, and preventing any illicit trade in tea?—I do not know of any.

To make such establishments, would it not require in those islands very great exertion and great expence, and would it not be exposed to great risk?—I should imagine, if it is intended to prevent smuggling, it would require great numbers of vessels of various descriptions to prevent smuggling there, and illicit intercourse between ships.

Would it not be necessary, in order to ensure the probability of prevention of smuggling, by those vessels bringing home manifests and clearances, that there should be a revenue establishment upon the islands?—I should imagine both would be necessary to prevent an illicit trade.

What, in your opinion, would be the effect upon the China market for teas in the event of that trade being opened?—I should imagine that the teas in China would be increased in price from the great number of ships, and the greater demand for them, from the increased competition.

Are not you also of opinion, from the peculiar character of the Chinese, that the quality of teas would be adulterated?—I think that is very probable, as a number of what are called out-door merchants in China, would have a great deal of the trade to execute.

Do not the English East India Company get the choice of the teas now brought to Canton from the upper provinces?—I believe they do.

Is not the refuse sold to the Americans?—The best part being bought by the Company, the rest must be sold to the Americans, or any other ships that may be there to take it off.

Is there not a description of teas called the old teas, of the former season, brought down in considerable quantities, and which are always rejected by the Company?—I imagine whatever tea is bad, whether of that season or the season before, will be rejected by the Company's officer; they have a person there to examine and to taste the teas.

Has not the price of all articles of supply to the ships in Canton increased within the last ten years, nearly double?—I should think not double; it has increased from a greater number of ships of different nations having been at Canton, particularly the English.

In the course of your experience or knowledge, have any new articles of British manufacture been introduced with success to the consumption of the natives of India?—No, I do not recollect any.

Are you aware of the great increase of export to India of cotton goods, both printed and plain, within the last ten years?—I think there has been an increase of printed cotton goods within these last ten years; I understand a great deal of the printed cotton is for the Portuguese and others; not so much for the natives as for the Portuguese in various parts of India.

Have you not heard of the Hindoos using them as turbans?—I have understood that they have used some printed cottons for turbans.

In your capacity of agent, exporting the printed cottons you speak of, have you ever exported any to the other parts of India, except Bombay?—As far as I recollect the investments of the captains I have been intrusted for, they have taken some to every part of India.

Have you reason to think that they have exported to such advantage as to encourage an increase in the export of them?—The quantity was in a very small degree, and I believe the advantage arising from them was pretty nearly equal to the other articles, not particularly profitable, nor otherwise.

Are not the people commonly called Portuguese, alluded to in your former answer, natives of India?—They are so far natives, that they are born there, though not the aborigines.

Do you know the number of that population, or have you ever heard it?—It is considerable, I believe, though I would not venture to specify any number.

Do you consider the cotton goods mentioned in your former answer, to be a new article of trade in India, compared with the use or the demand for those goods for-

merly in that part of the world?—I believe it is not altogether new, but the quantity exported of late has increased probably in some part of India; they have got them where they had not them some years ago; from the increased quantity sent out, they must have spread abroad.

Do you understand the quantity to have increased considerably?—Not very considerably, probably it has been more than double.

THOMAS GARLAND MURRAY, esq. was called in, and examined:

Mr. *Grant.*]—Are you not commander of a ship in the East India Company's service?—I am; I have been in the marine service of the Company between six and seven and twenty years.—I have made either ten or eleven voyages to India and China.

Have you been in the habit of availing yourself of the privilege which the Company grant to their marine officers, of exporting goods on their own account, freight free?—As much so as other persons in my situation, I believe.

What proportion of the investment which you laid in consisted of such articles as were, in your understanding, adapted to the consumption of the natives of India?—It depended entirely upon the latest information I had of such articles being wanted, or what I conceived they would be likely to want, from the situation of the market during the time when I was there last.

In general, you have found that their demand for European articles has been extensive?—Very trifling indeed, when compared to the demand of the settlers there.

Of what description of European produce and manufactures were those articles which you conceive to be adapted to the consumption of the natives?—Of the manufactures of this country, and the continent, (such as Germany and Holland;) the produce of Birmingham and Sheffield, of this country, being chiefly cutlery and small quantities of hardware; toys, spectacles, and beads, of Germany and Holland; and the general produce of Europe, such as quicksilver, saffron, and cochineal, as coming from Europe, being brought from the peninsula.

Would not you include cutlery and hardware in the list of the articles mentioned?—I meant that, when I mentioned Birmingham and Sheffield, particularly, and not the whole produce of Birmingham and Sheffield.

During your experience in the marine service of the Company, have you found the native demand for European manufactures to increase in any material degree?—As far as it has affected myself, on the contrary; it is a thing I have never been able to account for to myself, nor has any reason been given by those people of whom I have inquired, that since the fall of Seringapatam, our investments at Madras have never met so ready nor so profitable a sale.

From your general acquaintance with the export trade, as carried on by the marine officers of the Company, is there, in your judgment, a growing demand on the part of the natives of India for British or European manufactures?—Speaking from my own immediate experience, and from what I have suffered, I think not.

Do you conceive that the marine officers of the Company have used every exertion to promote, as far as in them lay, the consumption of British manufactures in India?—I conceive that there are not a more enterprising body of men than those who are permitted to participate of the privileges of the Company on board the Indiamen.

In your judgment, is it not a great advantage to the class of persons mentioned in your last answer, to export free from the charges of freight and commission?—I imagine, that inasmuch as they are encouraged to speculate now, from being free of freight, their speculations would be greatly reduced if they were obliged to pay freight.

Do you mean to imply, that the immunity from the charges of freight and commission has encouraged the officers in the marine service of the Company to export manufactures to a greater extent than they would have otherwise exported?—I think, that inasmuch as the freight affects the advantages attending whatever may be carried out, insomuch it would reduce the encouragement to speculation.

Is it your opinion that any private trader could export goods to India in such a manner as to sustain a competition with the marine officers of the Company?—I think quite impossible, from experience.

Is it your judgment, that any such increase is likely to take place in the native demand for British produce or manufactures, as may not be fully met by the exist-

ing system?—I think it is in the power of those immediately employed in the marine service, to take out a great deal more than they do at the present moment, if they found there would be a likelihood of great profit arising from it.

Describe shortly in what manner the marine officers of the Company are trained to the service in which they are engaged?—By the regulations which existed when I entered the service, I was obliged to perform one or two voyages in the situation of a midshipman or a junior officer; one a fourth, one a third, and one a second or a chief officer, before I was qualified for the command.

Do you consider that species of training as necessary to the due discharge of the functions with which the commanders in the marine service of the Company are invested?—I think it absolutely necessary, to take charge of so valuable a property, that a man should have great and long experience, together with the advance of age that that period of service I mentioned would bring him to, before he should be invested with the command of an Indiaman.

If a free trade were established between every port in the United Kingdom and every port in the British dominions in India, what effect would be produced on the marine officers in the service of the East India Company?—I do not feel a conviction that it would amount to their total ruin, but it would be attended with very great hardships.

Were the sugars of Bengal allowed a fair competition with West India sugars in the markets of this country, do not you conceive that it would sustain that competition with great hopes of success?—There cannot be a question, but, inasmuch as the sugar from India is brought to this country, it will, in that degree, have a great effect upon the produce of the West India colonies.

Could not the sugar of Bengal be brought to the markets of this country as cheaply as West India sugar, provided the duties on both be equalized?—At the present moment, I believe, the produce of sugar in India is very much confined, but that it is capable of producing as much as the whole continent of Europe would require I cannot doubt, and if it can be brought here as cheaply in point of freight, and the duties are equalized, I have no doubt that it would have a very serious effect upon West India produce.

Supposing sugar were brought from India as dead weight, might it not, in that case, profitably enter the markets of this country, supposing it to be placed on an equal footing, in point of duties, with the sugars of the West Indies?—It would affect it unquestionably, inasmuch as it would increase the quantity of sugar in the market.

Would it not come as cheaply as West Indian sugar, coming as dead weight?—It would depend entirely upon the freight of the ship, what she was freighted at; if it was necessary to bring sugar as dead weight to ballast the ship, it would most seriously affect the produce of the West Indies, inasmuch as it would greatly increase the quantity of sugar in the market.

In a China voyage outwards, by what straits do you enter the Archipelago?—That depends entirely upon seasons and other circumstances; the general passage in the regular season, and the fleet in force (a strong fleet well protected) is through either the Straits of Sunda or the Straits of Malacca.

What is the way homewards, do you come through the same straits?—Generally, when a fleet is in force, and in the regular season, through the Straits of Sunda, that is the most direct passage.

You have mentioned that they go and return by these routes when the fleet is in force, what difference does that circumstance make as to the course adopted?—In going through the Straits of Sunda, for instance, you pass immediately in sight of an enemy's possession; and in going through the Straits of Malacca, it has frequently happened during this war, that the enemy's cruisers have been off Acheen head.

Have you ever landed on any of the islands of the eastern Archipelago?—If you admit Sumatra to be considered as one of those islands, I was six weeks at Bencoolen, and brought home a cargo from thence, since I was a commander. I was before that about fourteen days upon the island of Sumbawa.

That is to the eastward of Java?—Yes; going to China, it forms one of the most eastern straits, the Straits of Sapy.

Had you an opportunity of observing the native inhabitants of those islands?—At Bencoolen, I formed some idea of what their inclinations and habits were; at the Straits of Sapy, I was under too great a dread to have much communication with them.

What were the circumstances which rendered it so fearful a business to have communication with the natives of Sumbawa?—I know no reason, but a knowledge of their native treachery, and which appeared to be natural to them.

From any knowledge or authentic information which you have acquired, can you say whether that is generally the character of the native population of the eastern islands?—I believe universally.

Do you conceive that any considerable number of cargoes of British or other European produce would find a market among the natives of the eastern islands?—As far as my own knowledge goes, and what I have heard from the description of people called eastern traders, I apprehend not; not even one cargo.

Are not the wants of the natives very much limited by the nature of the climate under which they live?—I conceive their wants to be very few, from the very few articles that the regular eastern traders from Calcutta carry among those islands, speaking only from information, for I have no experience, also judging from what I experienced myself while at Bencoolen.

During your residence at Bencoolen, did you find that the native inhabitants in the neighbourhood of the British settlement there, copied in any material degree European habits and manners?—None whatever came under my observation from actual natives.

From the treacherous and ferocious character of the natives of those islands in general, would it not be necessary that vessels, attempting to trade with them, should be strongly armed?—The eastern traders are armed, I believe, in a very peculiar way, to prevent surprise from numbers, as well as treachery from the merchants with whom they deal; and I have been told, that immediately on any native or natives coming on board, their side-arms and all other weapons of defence are taken from them; they are also supplied with strong boarding nettings; and I believe, I do not know whether it is so now, but it was certainly at some period necessary that their cabins should be barricadoed, so that they might defend themselves, if they were driven to that place, from the number of natives coming on board, either by surprise or by permission.

Supposing a free trade established between the ports of the United Kingdom and the eastern seas, do you conceive that the export on a large scale of British manufactures to those seas, would prove a profitable speculation?—As far as my own experience goes, I think not.

Do the Malays wear cotton in any degree?—They wear chiefly cotton, but they have a manufacture of their own of silk and cotton, they wear no other apparel that ever I observed.

On a supposition that a free trade were established between the ports of the united Kingdom and the eastern seas in general, except with the reservation of the China trade to the Company, is it your judgment that the vessels of private British traders could procure illicit shipments of tea on the coast of the Eastern Islands?—I have not a doubt that there would be great facility in their procuring tea, and I would beg leave to state why; the great reason, I believe, that there are not more ships and more people embarked in the China trade, either from the coast of Malabar or Calcutta, is the difficulty of return, and that their ships frequently come back half laden; I daresay, therefore, they would be very glad to take on board a cargo of tea, and carry it any where that may be pointed out, if it were only as a remittance from China.

Must it not be the wish of the Chinese government, that teas of all descriptions should be exported from the port of Canton?—I have always understood that a Chinaman, to get rid of his teas, would trade with any one, and give him almost unlimited credit.

Supposing an arrangement made, by which teas imported from China into some of the Eastern islands, could be there taken in by private British vessels, can you state whether it would be easy to procure such teas from China by means of Chinese junks or other native vessels?—I cannot take upon myself to answer that question; I have already said that there is a very extensive intercourse from China, through junks, with the island of Java, and I believe with those junks and Malay boats, with islands in the west; and the China junks go also to the other islands in the Archipelago.

Supposing an open trade established, such as has been before described, would it not be easy for the captains of vessels to procure, by a previous arrangement, any quantity of tea, without going to the port of Canton?—I should conceive so, for the reasons I have already given, independent of the Chinese junks.

Supposing an arrangement made, by

which European vessels would take in teas on the coast of the Eastern Islands, could not temporary depots, for that purpose, be very easily established on those coasts?—The only objection to that would be the treachery of the Malays, and the likelihood of being cut off by them; there is no other objection, I conceive.

Would the treachery of the natives be an insurmountable obstacle to the sort of clandestine trade of which you have before spoken?—Certainly not; if it was an object worthy of attention, the factory or establishment to be formed, could be strong enough to resist the Malays.

Are there not several inconsiderable islands of which the inhabitants are much more peaceable than those of Celebes or Borneo?—There are some islands or some places on the islands, where there is more confidence put in the Malays than there can be in others; they are not so suspiciously treated in some of the islands as they are in others.

Would it be practicable for the British government to establish any such fiscal guards on the coasts of those islands, as should prevent the illicit practices of which you have before spoken?—They must be very extensive, and very numerous; and, in the time of war, I should conceive it would be very much subjected to the depredations of the enemy's cruisers.

Supposing a regulation made, that ships taking in cargoes any where in the Indian seas, should, on their passage homeward, touch at some intermediate port, and have their cargoes officially broken up and inspected, could such a regulation be carried into effect without immense inconvenience to commerce?—I think it would be excessively prejudicial, and very destructive to a China cargo; for it is invariably found, that a chest of tea, as it is at present constructed, would hardly bear moving after it is stowed.

(*Examined by the Committee*)

Are you of opinion, that any quantity of teas could be taken on board in China by a country ship, without the knowledge of the supracargoes, under proper regulations to prevent their being shipped?—Speaking from the knowledge I have of the Chinese, I conceive them to be more inclined to smuggling than any other set of men; but how far it can be done without the knowledge of the supracargoes, I am quite unequal to answering.

Are you of opinion, that teas could be landed from country ships at any port, either upon the coast of Coromandel or Malabar, and re-shipped on private ships bound to this country, without its coming to the knowledge of the government of India?—I presume, that in the event of peace, the situations on the coast of Coromandel, belonging to both the Dutch, French, and Danes, would be returned to them; and in that case, I think it possible that there might be trans-shipments made in those roads without their coming to the knowledge of the English government; yet the possibility of information being given to the English government must be very great.

Do you suppose that any large quantity of tea could be taken on board and conveyed to this country, without the knowledge of the captain?—It depends entirely upon what description of man the captain may be, and how far people may be intrusted who are inclined to take it on board; that there are a great many things taken on board ships, in large quantities, which the captain knows nothing of, I am perfectly convinced.

If the trade of India were confined as at present, and the subjects and states at amity with his Majesty permitted to trade there, might not the merchants of those foreign states find profitable cargoes of sugar in India for the supply of Europe?—I think that, at all times, sugar enough might be made in India to supply all demand for any foreign markets.

James Horsburgh, esq. was called in, and examined:

Mr. *Impey.*]—You are hydrographer to the East India Company?—I am.

Were you a free mariner in India under a licence from the Company?—Yes, I was, for about 20 years in India.

From your observation, when you were in India, do you think the markets there were over or understocked with European commodities?—I believe frequently overstocked.

Can you state any new articles of European produce or manufactures that came into demand among the natives of India during the time you were there?—I cannot.

Supposing a free trade were opened between the ports of this country, and the ports within the Company's charter, do you, from your knowledge from India, think there would be any increase of demand for European produce among the natives there?—I really cannot tell.

What is your opinion; have you any reason to think there will be?—I think there must be a great sacrifice from this country, in the first instance.

Are you acquainted with the eastern seas and islands?—I am.

Do you believe that those seas and islands, and the ports of them, have been thoroughly explored by the merchants who now carry on the trade between India and the Chinese seas?—Yes, they have.

State who are the persons by whom that trade is carried on, the trade which is called the country trade; is it not carried on by persons called free merchants and mariners, and who reside in India?—Yes, it is.

Has it come within your knowledge, that those free merchants and mariners have explored every port in those seas, for the purpose of commerce?—Yes, it has.

Can you state what articles of British produce or manufactures are consumed in those islands?—Very little, I believe.—A few articles of cutlery, probably a little iron and fire arms, and gunpowder, are the principal articles.

What is the assortment of cargoes sent from India to those islands?—Opium is the great staple article; some iron, salt-petre, and sulphur sometimes, and piece-goods, cotton stuffs of various colours.

In your opinion, could even a single ship be freighted from Europe for those islands, with any reasonable prospect of commercial profit?—I think a single ship could not sell her cargo among those islands, without going to Batavia, or to Prince of Wales's island.

What is the dress of the natives?—Very little, if any thing at all; without it is the rajahs and chiefs; they wear pelisses of different kinds; but the lower class of people wear very little dress; a small wrapper of cotton about them, and a bit of silk handkerchief for a turban.

Is their dress supplied from their own manufacture chiefly?—In great part.

Do you conceive it is possible to dispose of English woollens to any amount among them?—No; I think not.

Can you state to the Committee what is the character of those natives, with respect to the ferocity or mildness of their dispositions?—They are very cruel and treacherous, and would take any man's life for the sake of a dollar or two, at any time when there was an opportunity.

Are the rajahs, who are the chieftains of those islands, very jealous and suspicious of Europeans?—Yes, of Europeans trading with them.

Have many instances come to your knowledge of ships that have been cut off and destroyed among those islands?—A great number; I have got a list of nearly thirty in my pocket of the ships I have known cut off at different times.

Do you know that captains also have been assassinated by the natives of those islands?—A great number.

Are there any return cargoes that could be got among those islands for Europe?—I conceive little or nothing that would answer in the European market.

Supposing ships to go from this country with a view to profit by illicit traffic, is it your opinion, that if they were permitted to go into the eastern seas, they could procure teas there for the purpose of smuggling?—I think not for some time.

Did you think that if they had a view to that purpose, they might in some time enter into such arrangements that they could procure teas?—Yes, I think so.

Do not many large junks come among the eastern islands, from the port of Amoy, in the southern part of China?—They go from Canton and from Amoy, to different ports of the eastern islands.

The English have no intercourse or connection with the port of Amoy, have they?—Not at present.

Do not many junks go from China to Borneo?—To Borneo, and to Sooloo, to Mindano; I believe also to Timor; particularly to Batavia, and to Rhio and Lingin, and to Prince of Wales's Island.

Could not those junks, in your opinion, bring any quantities of tea to the eastern islands?—They carry a good deal of tea to Batavia at present, and to some ports of the eastern islands.

Could they not procure them and carry them in any quantities that might be demanded?—Certainly.

Are you of opinion that, by previous arrangement, depots of tea might be established through those junks among the eastern islands, for the purpose of smuggling?—I think so.

Do you think such smuggling of tea might be carried on by means of Portuguese or Spanish vessels, by previous arrangements?—I think they could.

Supposing the private merchants of this country were permitted to go to Manilla, do you think there is any more convenient port for procuring teas from China, and

smuggling them into this country, than the port of Manilla?—I think not.

Is not Manilla so situated that a regular communication may be kept up between that and China, at almost any period of the year?—At all times.

If the Chinese trade were thrown open to the private merchants of this country, is it not your opinion that the Company's supracargoes would be put to the utmost difficulties by the irregularities and promiscuous influx of seamen, that would then go to the port of Canton?—I think so, unless there was some other method to regulate their conduct.

Do you know that the island of Banca produces tin of a very fine quality, and in very great quantities?—I understand it does not produce so much now as it did formerly.

Do you mean that so much is not exported from it, or that there is any defect in the produce of the country?—There is not so much procured, I understand.

Have you understood that tin is extremely easily procured in that country, and very easily smelted?—Yes; I understand so, it is near the surface of the ground what they procure, in small pits; it is of a very soft quality, easily smelted.

Have you understood, that during the time that the Dutch power prevailed in that part of India, the Chinese were in a very considerable degree supplied with tin by the Dutch from the island of Banca?—Yes; I believe they were.

Do they not manufacture their cresses, which are offensive weapons, and other iron utensils and arms, from their own iron?—They temper their own cresses themselves, and manufacture them; whether all from their own iron, I cannot say.

Sir GEORGE THOMAS STAUNTON, baronet, was called in, and examined as follows:

Mr. *Impey.*]—You are a supracargo in the East India Company's service?—Yes, I am. I have been fifteen years in the service of the East India Company.

You accompanied lord Macartney's embassy to Pekin?—I did.

You are also acquainted with the language of the Chinese?—I have made the Chinese language my study.

From being acquainted with the language of the Chinese, and from the time you have been in that country, have you had peculiar opportunities of becoming acquainted with the character, the opinions, and the habits of the Chinese?—I should conceive a knowledge of the language would possibly give me some advantage over other Europeans in those respects.

Have you also, from the situation you held in the Company's service, obtained a competent knowledge of the Chinese trade?—I consider my situation as giving me an opportunity of having a general knowledge of the commerce of China.

From your knowledge of China, can you state to the Committee, whether they are not peculiarly jealous and suspicious of strangers of all descriptions?—I should consider that the Chinese are peculiarly jealous and suspicious of strangers.

Can you state to the Committee any principle of government or subordination entertained generally by the Chinese nation, that renders them peculiarly adverse to casual and unconnected trading adventurers?—The principle of responsibility that is exacted in China from every person in office, and the controul which is required to be exercised by them, would certainly lead them to be peculiarly adverse to any trade that was not under an efficient controul.

Do you conceive that that principle has been one great cause, why in former times the Chinese have been adverse to commerce with foreigners?—I should conceive that has been the principal, or one of the principal causes of their unfavourable opinion of strangers, and their unwillingness to enter into commercial connections with them.

Can you state to the Committee, from your knowledge of the history of the trade of China, what have been the impediments thrown in the way of foreign trade in that country, in former times, in consequence of that principle?—The trade has been confined to one port of the Chinese empire, and is limited to a certain number of native Chinese, called Hong merchants; the Europeans are allowed to reside at that port only while their ships remain there, and various other restrictions were imposed to prevent any ill consequences arising from the trade with foreigners.

Was not the residence of foreigners confined to a small district in the suburbs of Canton?—It was.

Were not all foreign ships disarmed upon their arrival, and their arms restored at their departure?—There was an order to that effect, and I have understood it has been put in force on some occasions.

Was not all intercourse between fo-

reigners and the Chinese strictly prohibited, with the exception of those Hong merchants, and a few other persons appointed for the purposes of that intercourse?—It was so.

State to the Committee, whether in point of fact, those severe laws are not at this time modified in practice?—There has been in practice a considerable relaxation of those laws in favour of strangers.

Do you conceive that one of the principal causes, or the principal cause of the relaxation of those laws, has been the mode of carrying on the China trade by the Company?—I should certainly consider, that the system according to which the trade is at present carried on, is one of the principal causes of that improvement. There may be, no doubt, some collateral causes, which have contributed to the same effect.

Do you not know that the jealousies of the Chinese have been so far subdued, that they have even made advances at Canton to a direct and confidential intercourse with the servants of the Company?—There have been such advances in one instance, within my recollection.

Are you of opinion, that notwithstanding the lessening of the jealousy of the Chinese above stated, very slight causes may probably bring our trade with China into great danger?—Our trade with China is certainly still upon a precarious footing, and is liable to be disturbed by provocations which might be considered of a slight nature.

Do you know that the English have been lately excluded from the port of Chusan?—I have understood that the English were formerly admitted to the port of Chusan, which they are not at present.

Do you know whether it was from any considerable provocation on the part of the English, that they were excluded from the last mentioned port?—I am not acquainted with the causes of the exclusion of the English from the port of Chusan, but I have not understood that there was any adequate provocation.

From your knowledge of the Chinese, do you think they consider their commerce with the East India Company as of any considerable consequence to the prosperity of their empire?—The Chinese government have always declared, that they do not consider it of any consequence to the prosperity of the Chinese empire.

In your opinion, have not the measures and conduct of the Company's servants at Canton even gained them the respect and confidence of the Chinese?—The Chinese certainly testify much greater respect and esteem for them than for other foreigners, or for any foreigners when the trade was first opened with that country.

Do not you think that the unimpeachable good faith of the Company has greatly contributed to that effect?—I should consider that it certainly has.

Has not the beneficial effect of the Company's good character in China extended not only to their own officers and other adventurers from British India, but also to foreigners, and particularly to the Americans?—I think it has, in some respects.

From your knowledge of the Chinese, do you think that the character of the Americans stands equally high with that of the Company, among the Chinese, for honour and probity?—I should think by no means so.

Are you of opinion that the power of the Company contributes, as well as their probity, to the high character they hold among the Chinese?—It certainly contributes to the respect and to the consideration they receive from the Chinese.

From your knowledge of the Chinese trade, do you think it is capable of great improvement and extension upon the present system?—I should conceive it is capable of a gradual extension, and that beyond any limits which can be at present assigned.

Supposing the present system were to be broken, and the traders of this country, honest and dishonest, experienced and inexperienced, were allowed a participation in the China trade, what, in your opinion, would be the probable consequence?—I should think it extremely probable that disputes would arise, and that additional restrictions would be laid upon the trade; that it might, in consequence of such disputes, be suspended, and perhaps altogether abandoned, in consequence of the treatment that might be experienced from the Chinese, and the new regulations that might be imposed for the controul of the trade.

Do you think it probable, that in the event last mentioned, the trade being thrown open, such impediments would be thrown by the Chinese in the way of it, as would tend greatly to diminish, if not entirely to destroy it?—I conceive that the trade would be rendered much less

advantageous than it is at present; but whether it would become necessary altogether to abandon it, would depend upon circumstances which it is not possible to foresee.

Supposing the Company's power to be destroyed, what would be the state of British subjects in China, without the protection they now receive from it?—I should conceive they would be liable to considerable embarrassments and vexations in the conduct of their trade, and in a much greater degree than they are at present.

Supposing that a king's consul were established at Canton, is it your opinion that he could exercise the same authority that the Company now does in the protection of British subjects?—I should conceive not; as the power and influence of the Company's servants is chiefly derived from their having the direction and management of the trade.

Is it your opinion upon the whole, that it is of the utmost importance, if not of absolute necessity, to the preservation and improvement of our trade with China, that the present system should be continued?—I should think it is certainly highly important to the preservation and improvement of the trade, that the present system should be continued.

Is it from political causes only, or from commercial causes also, that you think it would be inexpedient to throw the China trade open?—I should conceive there are likewise some commercial causes that would prevent the trade being carried on so advantageously on any other system as the present.

In your opinion, have the Americans, and other foreign traders who have been to China, been able to enter into competition, in any degree, with the East India Company in the Chinese market?—They do in some articles of trade to a certain extent.

Are those, with respect to the commerce in general, superior or inferior articles?—They have entered into competition in respect to some species of teas, and also in some of the inferior articles.

When you speak of their having entered into competition with the Company, in some species of teas, are those superior or inferior species of teas?—I can hardly distinguish them by the term superior or inferior; they are peculiar species of teas.

What are they?—Some kinds of green teas chiefly.

Do you consider the uniform price of teas as one of the consequences of the present system?—I should certainly impute it in a great measure, or entirely, to the present system.

State to the Committee in what manner you suppose that effect to be produced by the present system?—I conceive, that as the Company bid singly in the market of China for the produce of that country, they must necessarily obtain it cheaper, and at more uniform prices, than if a great number of individuals entered into competition with each other.

In point of fact, the monopoly of teas in China is in the Hong merchants, is it not?—I consider it so.

According to the present system, do you consider that the East India Company, notwithstanding the monopoly of tea in the Hong merchants, is enabled in a very great degree, to regulate the price of it?—They have generally the refusal of all teas, and other principal articles brought to market for foreign consumption; and in respect to those articles in the purchase of which they have not to meet with any competition, they are certainly enabled, in a great measure, to regulate the price.

Are you of opinion that a free market with China would have the effect of raising the price of tea in that country?—I should conceive it would necessarily do so.

Do you think that the Americans, or other foreign traders who have traded to China, have traded with equal or greater advantage than the East India Company?—I am not able to speak to the advantages which individuals have derived from their trade, but I should conceive that the credit and reputation of the Company in China does give them, generally speaking, considerable advantage in carrying on their trade in that country.

Are you of opinion, that the advantages which have been derived to this country from the sale of British manufactures and produce in China, has been entirely owing to the present system?—I should conceive that the present extent to which British manufactures are sold in China, is in a great measure, or entirely, owing to the exertions of the East India Company.

Can you state what or whereabouts is the amount of that sale at present?—I believe at least a million sterling in value.

In what articles?—Chiefly woollens and metals.

Can you state to the Committee what difficulties the Company have had to contend with, in producing the present sale of those commodities in China?—The Chinese generally entertain considerable prejudices against any new article, and it is therefore often necessary to dispose of it for a considerable time at a loss; but after a time those prejudices wear off, and the merits and value of the articles are known, and the sale extended.

Do you mean to state, that in point of fact, the sale of British woollens to a large amount in China, has been produced by the Company having sold them, in the first instance, at a loss?—I conceive that that is one of the causes of the present extent of the sale of British produce; in addition to which the Company enter into contracts to dispose of those articles in return for teas purchased of the China merchants.

Do you know in point of fact, that in the commencement of that trade with China, the Company disposed of our woollens in that country at a loss?—It appears by the accounts of the East India Company, that the woollens have been sold at a loss, and I have no doubt that has been the case.

Do you know whether a taste for the woollen manufactures of this country is now established to a considerable degree in China, by the means the Company have taken for that purpose?—The taste for British woollens has certainly been introduced to a considerable extent in China.

Can you state to the committee the nature of the contracts made between the Company and the Hong merchants, by means of which the sale of our manufactures has been, in a considerable degree, forced into that country?—As the Chinese merchants derive their profits chiefly from the sale of teas, they are willing, for the sake of those profits, to contract to receive the woollens, with little or no profit to themselves upon them; those contracts are accordingly very essential to the sale of our British manufactures in that country.

You mean, that from the advantage they gain in selling their tea to the East India Company, they have been willing to contract with the East India Company for taking off our manufactures, even without a profit to themselves?—I conceive that is the principle, or understanding, upon which the contracts are made.

Do you know whether, in consequence of such measures having been pursued by the Company, their trade with China, in our woollen manufactures, is now profitable to them as well as to the nation?—To the best of my recollection, it has become decidedly profitable to the Company in some articles of the woollens.

Has the reception of British woollens in China been procured in a considerable degree by the Company's attention to their quality?—The attention of the Company to the quality of their woollens, and also to the prevention of any irregularity or deception in the packages in which they are contained, has contributed in a very important degree to their circulation and reception throughout the empire of China.

Is not the Company's mark, in all parts of China, admitted as full proof both of the quality and the quantity of the goods that are sold under it?—I have always understood so.

Do the Americans, and other foreigners, who trade to China, carry out manufactures, or bullion, to exchange for the commodities they get there?—They carry out bullion to a considerable extent, and some articles of native produce; but few, if any, manufactures, as far as I am acquainted.

Can you form any idea of the average annual importation of tea to this country?—The cargoes are provided in China, upon the assumption that the demand is from 24 to 25 millions of pounds.

Considering that tea is become almost a necessary of life among the lower as well as the higher ranks in this country, do not you think that very great distress in this country would be the consequence of a great reduction, either of the quantity of the tea imported, or of any great deterioration in its quality?—I should conceive it certainly would be attended with distress and inconvenience to the country, under the present circumstances of the universality of the demand.

Do you think, that if the trade between this country and China were thrown open, it might be a probable consequence of it; that either the quantity of tea would be ill proportioned to the demand, or that the quality of it would be deteriorated?—I conceive the measures now taken by the East India Company for regulating the supply in proportion to the demand, in respect to the aggregate amount, and also in respect of the different species of tea of which that aggregate consists, could not

be taken by individuals; and therefore that it is very probable that teas of an inferior quality would be imported, and that the supply would also fluctuate in a manner that would be very inconvenient and prejudicial to the interests of the consumer.

Are you of opinion, that any material derangement of, or inroad upon, the tea trade, might be attended with great danger, as well to the revenues of this country as to those of the Company?—I am not able to speak to how far smuggling might be practicable by individuals, but I conceive it would be certainly much more practicable than under the present system, and therefore probably attended with the effect stated in the question.

Can you state, from your own knowledge, whether there is any peculiar nicety required in adjusting the supply of tea to the demand, and in selecting the various kinds of tea?—I should conceive, as I have already stated, that it is very important to the consumer that the supply should be regular and uniform; there is also a very considerable nicety requisite in the selection of teas, which is attended to under the present system, and which probably could not under any other.

Is not tea an article that requires the nicest examination to prevent its adulteration?—It does so, more than any article with which I am acquainted.

Can you state what becomes of any damaged tea that may be in the Company's possession, even supposing it might be saleable?—I have understood that, in many instances, damaged teas are sent down in barges to the mouth of the Thames, and there thrown into the sea in the presence of the officers of the revenue who attend to see the tea so destroyed.

Do you mean to state that it is the practice of the Company to destroy all damaged teas, even though they might, if they pleased, sell them at an inferior price?—So I have understood.

Do you know what becomes of tea of a bad quality, if it should turn out that the Company are in any instances imposed upon by the merchants in China, or have by accident purchased such teas?—Teas of a bad and objectionable quality, have, in many instances, been returned on the hands of the owners and original merchants, of whom they were purchased, and the prices paid for those teas deducted from their accounts.

Do you mean that without any dispute the Chinese merchants are accustomed to allow the price of such teas of inferior quality, in account with the Company?—The Chinese merchants, have, generally speaking, such confidence in the honour and good faith of the Company, that they are in the habit of submitting to such charges with little or no opposition.

Do you think that such a practice could possibly be pursued by any private merchants dealing in the same article?—I should conceive not; I know of no instance in which it has been practised.

Are there not certain kinds of tea, the growth and manufacture of which are encouraged by the Company, though not in a very great degree profitable, that are imported in general with other teas, the growth and manufacture of which individuals would not probably encourage?—There are certain species of tea, the growth and cultivation of which the Company encourage to a much greater degree by higher prices than individuals would be likely to do, this is on account of the advantage of a portion of those teas being included in the supply for general consumption. These teas are probably mixed with other teas by the teamen in England.

From your knowledge of the tea trade do you think it of great general importance to that trade that the growth and manufacture of such species of tea should be encouraged?—I cannot speak from my own knowledge; but I conceive, from the information of others, that it must be a considerable advantage to the tea trade in general.

Are you of opinion, that upon the present system, the quality, the quantity, and the appreciation of the annual supply of tea to this country is carried to the highest pitch of perfection?—I am not aware of any change from the present system by which it could be improved.

Are not you of opinion, that upon this subject, the Company are guided by more liberal motives than in the nature of things it can be expected any individual traders can be?—I should think that, as the Company look forward prospectively to the future success and extension of the trade, they must act frequently upon different and more enlarged principles than individuals who have only their present interest in view in the sale of their respective cargoes.

If a free trade were opened with China, do you think it would be possible for the

East India Company to make any calculation for suiting their tonnage for the supply of the article, or the supply to the demand in this country?—Every competition, in proportion to the extent of that competition, would necessarily disturb the arrangements and calculations of the Company.

Supposing the same event of a free trade, are you of opinion that it would be possible to prevent inferior and damaged teas, by direct or indirect channels, from finding their way into the British market?—I am not aware of any regulations that could prevent such tea being introduced into the British market.

Is it your opinion, that such inferior or damaged teas, if introduced in any considerable quantity into the British market, might prove very pernicious to the health of the people who used them?—I am not aware of any tea at present procurable in the Canton market that is peculiarly prejudicial to the health—but if inferior and objectionable teas were introduced, it would be certainly likely to diminish the taste for that article, and therefore to decrease the consumption.

If private ships fitted out from British ports were allowed to navigate directly to and from the eastern islands, are you of opinion that they would by indirect means find methods of securing to themselves a participation in the tea trade?—I have no doubt that means would be found of procuring teas in the eastern islands, and that therefore it is probable they might be introduced from thence into this country.

Are not the eastern seas and islands full of Chinese vessels and colonies?—There are Chinese vessels and colonies, I understand, in almost every part of the Eastern Archipelago.

Have you any doubt that by means of these colonies and vessels, private ships from hence, who are allowed to enter the eastern seas, would be enabled to obtain teas from China?—I have no doubt that they would.

Have you any doubt that teas so procured, though of inferior quality, would in a great degree supersede the use of the Company's teas?—As they would be purchased under an evasion of the Chinese export duties, and particularly if they were sold under an evasion of the English import duties, they would come to the consumer upon much cheaper terms than those of the Company, and would therefore necessarily interfere with the sale of the Company's teas, though of an inferior and less acceptable quality.

Are not you of opinion that the high duties upon tea in this country hold out the strongest temptations to smuggling in every way?—I should conceive that they must.

Are you of opinion, that if a free trade were opened between this country and India, to the exclusion of China and the Chinese seas, means would be found by the private trader to smuggle tea from India?—Certainly not to the same extent as if the trade to the eastern islands were opened; but I am unable to say whether smuggling would be actually impracticable in that case.

If British vessels were permitted to go to Manilla, are you of opinion, that that situation would be peculiarly convenient for the smuggling of tea from China to this country?—It would have a peculiar convenience from its proximity to the port of Canton, and from its being frequented by Chinese vessels.

Do you know whether there would not be another peculiar facility from vessels being enabled to pass to and from Canton and Manilla at all seasons of the year?—They are certainly enabled to pass and repass at all seasons of the year, with some difference in point of time.

State to the Committee, supposing a trade opened with India, and that the smuggling of tea took place, by cargoes being taken up in India by the private traders, in what way do you imagine those cargoes would be conveyed from China to India?—Teas are at present purchased by the country ships trading between China and India without any sort of difficulty.

(Examined by the Committee.)

Do you know what is the Chinese duty upon tea?—I am not acquainted with the exact amount of the duty; but the imperial duty on tea is not considerable.

Whereabout is the duty upon the export of tea supplied by the Hong merchants?—I have never seen any certain and authentic document on this subject, and therefore cannot give an opinion.

Is it known to you whether the Chinese private traders find means to evade those duties?—The Chinese junks do not clear out generally for foreign ports; and therefore they are not liable by the laws of China to the same duties as foreign vessels. Chinese vessels are not allowed by the laws of the country to proceed, with very

few exceptions, to any foreign countries.

An evasion of the Chinese duties is possible?—Yes; because they do not clear out to a foreign port.

Do you know whether the island of Banca supplies much tin to the Chinese market?—It is a considerable source of the supply of tin to the Chinese market.

Do you know the relative price of the tin supplied from Banca, and that imported from England?—I do not recollect.

May 11th.

Daniel Beale, esq. was called in and examined.

Mr. *Jackson.*]—You resided some time at Canton?—I did: from the latter end of 1787 to the middle of 1797. I was Prussian consul at Canton, and in that situation carried on a very extensive business as merchant and agent. I was agent for many of the mercantile houses in Bombay and Bengal.

Did that afford you full and ample opportunity of understanding the general nature of the Chinese trade, as between the Chinese and Europeans?—No doubt I had ample opportunity of knowing every thing respecting it.

Describe to the Committee the general mode of carrying on the trade, as between the Chinese and the East India Company?—The trade between the Chinese and the East India Company is carried on by a set of merchants called Hong merchants, who are licensed by the Chinese government; they are also called security merchants, from the circumstance of their being security for the Company's ships as they arrive in rotation; the senior Hong merchant generally securing the first ship arriving, the second the next, and so on in rotation till the whole number are secured; the number of Hong merchants being about nine, when I was in China as nearly as I recollect.

What do you mean by securing the ships?—Responsible to the Chinese government for the duties, as well as for the good conduct of the commander and officers belonging to the respective ships; they are responsible for the duties on imports and exports.

Does the Chinese government require that for every ship that is allowed to take harbour in the river, their security shall be given?—It is impossible that any trade can take place with any ships arriving in the port of Canton, till she is secured; the reason why the Company's ships are secured in rotation is, that the Company's trade is sufficiently extensive to give employ to all the Hong merchants; that is, all the Hong merchants have more or less to do with the Company's ships arriving.

You mean all the nine Hong merchants?—Yes, the security merchants.

Have those Hong merchants any particular privilege given to them from the Chinese government, with respect to trade?—The exclusive right of importing or exporting; no other Chinese can import or export, except through them.

Does that apply to the trade with Europeans, or generally?—With the Europeans.

Are there other Chinese merchants resident at Canton that deal with the Europeans?—There are other merchants that trade with the Europeans; but we consider them what we call outside merchants, and that there is no security to any individuals trading with them, whereas in trading with the Hong merchants, there is the security of the Hong, and their known character in that situation.

Do those outside merchants deal under the privilege and license of the Hong merchants?—I do not consider that to be exactly the case; I conceive, if I purchase a quantity of teas from the outside merchant, that outside merchant is under the necessity of applying to the Hong merchant for permission to ship the teas off in his name.

Then the outside merchant would require the Hong merchant's sanction for making the shipment?—Yes; it is only the needy Hong merchants who will permit them to ship off in their names; the advantage is, that they receive the duties immediately from them.

Are there any particular rules, laws or regulations, enacted by the Chinese with respect to the European ships when they are there, as to their means of defence, such as their arms being deposited, or any rules of precaution on the part of the Chinese government?—I have understood formerly the guns of the ships used to be landed; but that has not taken place during my residence, nor during the memory of any living person, I believe.

Does the Chinese government discover in its regulations any particular degree of jealousy, with respect to the Europeans who trade there?—No doubt, by confining them to particular limits; in that respect, a jealousy may be said to be observed.

Is it your opinion that the regulations, whatever they might have been, are now materially relaxed towards Europeans?—I conceive the Europeans are confined to the same individual limits now, that they were accustomed to be.

Have you had an opportunity of perceiving whether the Company seem to stand high, or otherwise, in the confidence of the Chinese government?—There is no doubt the Company's representatives stand very high in the estimation of the Canton merchants, and I should suppose in the opinion of the government also, from the regularity with which they conduct their trade, and the particular good conduct of the gentlemen in their service.

Have you had an opportunity of observing whether the Company stand very high in the opinion of the Chinese, with regard to commercial integrity? — No doubt I have had that opportunity, and I know the Company's bales frequently circulate without being opened, merely from the regularity with which the business is transacted, and it is known from the description of the supracargo that they actually contain the articles specified; the Company's mark is established, and gives currency to every thing they deal in, and a preference to it.

Do you mean that those bales will pass into the interior parts of China, under the sanction of the Company's mark, to a considerable distance from Canton?—I consider that I can better explain what I mean by the relation of an anecdote, if it is not taking up too much of the time of the Committee: I recollect that the late captain M'Intosh commanded the Hindostan, and was appointed by the Company to attend upon the embassy; he expected that the ship he commanded would have an opportunity of visiting various ports in China, and in consequence laid in a very large investment of different articles that he conceived would be adapted to the Chinese market, under an expectation of being able to sell them at a greater price than such articles sold at the port of Canton; he was disappointed in this, for he returned to Canton without being able to sell at the different ports that he went to, any individual article of his investment. Among other articles he had a quantity of *cloth, and cloth being generally confined to the Company's trade, he could* not appear himself to sell it; he applied to me to take it into my custody and to dispose of it for him; the cloth, as I was informed by captain M'Intosh, had been put up by the Company's packers in this country, and I was extremely anxious to obtain for him the best price; to my great surprise, on offering it to several of the merchants, I could not obtain the prime cost. I was anxious to obtain from them the reason, and at last, with reluctance, was told by one that he had no doubt the cloth was of the same quality as the Company's, and such as I had represented it to be in all respects, but that it wanted one essential point, and that was the Company's mark; had he himself been to use the cloth, he said, he should have taken it upon my word, but as it was to pass from hand to hand, without the Company's mark, no person would believe him that it was of the quality he described it to be.

Does that mark indicate both quality and measure; what sanction does the mark convey, what sort of warranty?—It warrants it to be of the fineness the Company's cloth generally is, and that the bale contains so many pieces, and each piece so many yards.

Do you know whether any other European traders, of any description, have ever arrived at inspiring that degree of confidence that their mark alone should pass current, as a true indication of quality and contents of package?—I would say, generally, that the supracargoes of other foreign companies established there are, in general, men of respectability and good character, and, of course, enjoy a certain degree of confidence with the Chinese; but I do not, of my own knowledge, know of any particular articles that have the same confidence; I know that a chest of opium, with the Company's mark, will pass in the same way as a bale of cloth.

Do you know any other instance of an equal degree of confidence?—Generally speaking, I should say not, certainly; but at the same time I wish not to be understood to cast any reflections upon any other companies by any means.

Are you of opinion that the Chinese trade is carried on as between the Chinese and this country, better through the medium of the Company, than it could through any other possible medium?—I am decidedly of opinion, that it is impossible to carry on the intercourse between this country and China to a greater advantage than *it is now carried on through the medium* of the Company; and I give, as my reason, the systematic regularity with which the Company's concerns are conducted;

the regular dispatch of their ships from this country insures their arrival at the proper seasons in China; the aid the Company derive from their resident supracargoes; gentlemen who have grown up from youth to manhood in their service, and who, from their being in the habit of holding frequent consultations in the season of business with the Hong merchants, obtain every information that is necessary to regulate their imports.

Is it of essential importance in the conduct of a business of that kind, that the import should be thus regulated?—No doubt, on account of the seasons; there is a particular season of business, and that past, the imports, in many cases, would remain till the following season unsold.

You have stated your belief that the Chinese trade could not be carried on to more advantage for this country than it is through the medium of the East India Company; according to the best of your experience do you believe, that it could possibly be carried on so well through any other given medium?—I do not think it could possibly be carried on so well through any other given medium, because I regard the principal staple from this country, as woollens; and that the trade between this country, as carried on by the Company, is at present a forced trade; that is, that no individuals fitting out a ship in the port of London, could load her with woollens, or any articles of that description saleable at Canton, and sell them there at an advanced price.

Favour the Committee with some account of the progress of the woollen trade by the Company; you recollect it when it was much smaller than it is now?—I recollect it in the year 1792, when it was much smaller than it is now.

Can you state the proportions?—I cannot from my own knowledge; I have understood that the trade has been increased from a little more than 100,000*l.* in the year 1792, to, at the present period, an export nearly of a million, and I attribute that to several circumstances; independently of my situation there, I traded to Canton from 1777 to 1787; I have already stated, that I attribute it very much to the regularity and systematic manner in which it is carried on; the period from 1792 to the present period has been particularly fortunate, because in that period there has been excluded from the port of Canton, the French, the Dutch, the Danes and Swedes, all of whom imported woollens and European manufactures, more or less.

You have stated, that to some extent the export trade of this country, through the medium of the Company, was a forced trade; what do you mean by that?—I mean by a forced trade, as I have already stated, that no person fitting out a ship from hence, and loading her with woollens, would be able to sell at a profit.

In what way has the Company induced the Chinese to buy those woollens?—Their trade is divided into shares, to the best of my recollection, and those Hong merchants have the opportunity of supplying most teas that take most cloth; I do not mean by that to say, that it is a barter of so many bales of cloth for so many chests of tea.

Do you mean to say, that the supracargoes regulate their prices of tea, in some measure, according to the quantity of cloth the Hong merchants will buy?—The Company's import of woollens is divided into shares, and the Hong merchant that takes the greater number of shares of the cloth, has the greater number of shares in the export trade.

Is that regular rule observed, in order to encourage the Hong merchant to take a quantity of cloth?—There is a considerable discretionary power in the breasts of the committee of supracargoes, and I do not suppose they act on any general rule, they are governed by discretion in their purchases and sales.

Has that discretion, in its operation, held out a material encouragement to the Hong merchants to buy the woollens of this country?—No doubt, I conceive it has; those who take the greatest quantity of woollens will have most teas taken from them.

Does not the Hong merchant understand that it is expected, as a sort of condition, that he will take the woollens of this country, if the teas are bought of him to any material extent?—I believe, if the Company's documents were referred to, it would be found that the trade is, in a great degree, regulated from season to season, and that they contract for a quantity of woollens and a quantity of camlets, and the advantage of the resident supracargoes is great; from those consultations it enables them to regulate their trade by a correspondence with the committee of correspondence in this country, and the representations of the supracargoes is, I conceive, paid attention to by the committee of correspondence in this country; I speak of the effect.

The effect of this has been the encouragement of the Hong merchants to purchase the woollens of this country?—No doubt; and the policy of the Company has been, I presume, such as to have a large stock, so as to prevent any individual importing woollens and selling them at an advance.

According to the best of your judgment, as a merchant, did the Company sell those woollens, looking a little to the earlier part of the history of it, to a loss or to a profit?—In the earlier part, I do not conceive the Company were regulated by the same policy exactly, as I now perceive they are; I judge of the effect when their imports were small; no doubt they would have greater advantage, in proportion, from a smaller quantity than they have from the sale of a larger; their object has been, I conceive, very plainly, to force the sale of woollens as I have described.

Do you mean by forcing it, that they subjected themselves to any degree of loss, rather than not press the article?—I mean most distinctly, by forcing it, to say this; it has always been an object to have a quantity there, that they should never know the want of the articles.

The Hong merchants themselves are persons of sufficient capital to enable them to keep the woollens by them for a considerable time?—Some of them are, and some are not; the wealthy Hong merchants have kept woollens for several years, while the more needy have been glad to dispose of them at a very inferior price indeed.

Have you any means of knowing whether the Hong merchants have disposed of their woollens above prime cost, or at a loss, or how?—I have known that they have sold them considerably under prime cost.

Will the Hong merchants run that risk, in order to have an opportunity of selling their teas to such a customer as the Company?—No doubt they know they must each take a certain quantity of woollens, in order to enable them to sell a quantity of teas to the Company.

If the Company were to cease to press the purchase of British woollens in this way, could individual traders in this country, do you apprehend, if the trade were opened, effect such a sale of them?—I conceive, if the trade were opened, the export of woollens from this country to China would immediately diminish; because no merchant would take a quantity of woollens upon the chance of selling them again, and at a loss, if he had the option of receiving money instead of woollens; and individuals, exporting from this country, if they found any difficulty in the sale of their woollens at Canton, upon another speculation to that country would avoid taking woollens, and would take dollars.

Do you think that the diminution of the sale of woollens from this country to China, under the circumstances of an open trade, would be material?—I have no doubt it would be very material, for the reasons I have described.

Has the effect of the connection between the Hong merchants and the Company been to establish an uniform price of tea, or nearly so?—The operation of the Company's resident supracargoes has been to keep down the prices of the teas delivered to the Company; I am speaking now from memory merely; and I think, in the period of 35 years that I have known China, the advance of the price on teas has been very small.

State to the Committee to what you impute this non-advance of price?—I impute it to the operation of the Company's supracargoes resorting to their former contracts from year to year, and watching with great jealousy any advance on the part of the Chinese: the next reason is, that the Company are the purchasers of at least four-fifths of the tea exported from Canton.

Do you mean, that the Company, from the magnitude of their purchase, and the authority of their station, have been able thus to keep down the price of tea?—I mean to say this most distinctly, that the purchase of the Company's teas being made by one committee, on one hand, if I may so term it, has tended to keep down the price of teas, and will continue to keep it down while it so remains; but if the Company's trade were thrown open, and instead of one committee being the purchaser of four-fifths of the tea exported from Canton, there were, as there would be at least eighty purchasers, because I conceive there would be eighty ships, where there are now only twenty; in that case, the prices of tea would immediately materially advance, for this plain reason, a supracargo of one ship would be induced to give a higher price in order to have a particular chop of teas (chop signifying a mark); another would be induced to give a higher price, in order to secure an immediate dispatch of his ship;

another probably, from the particular circumstances under which he was trading, would be under the necessity of giving a higher price, from requiring credit; and when once high prices were established, it would be very difficult to bring them back, as the Chinese would always quote the last high price he had obtained from one supracargo, to the next person coming to purchase of him.—By the word chop, I mean the Chinese mark indicating a particular growth of teas, containing a quantity of tea of one uniform quality in a number of chests all of one chop or mark.

What other leading article of British manufacture is successfully exported from this country to Canton?—Lead, tin, camlets, which are considered among woollens; the Company do not trade in smaller articles; they leave them to their commanders and officers, who have a certain portion of the tonnage on board each ship, and carry out such articles as are suited, in their opinion, to the Chinese market.

Are the commanders and officers at liberty to carry out lead and tin?—Yes; but not woollens.

Do you think, if the trade were opened, the quantity would be materially decreased?—I do.

Do you think that which was exported under the circumstances of an open trade would fetch as good prices as that now exported by the East India Company?—I have already stated, that were the trade thrown open, the quantity of woollens exported would very sensibly diminish, because I am very sensible that the trade the Company now carry on, is a forced trade; I conceive that any private merchant carrying out a quantity of woollens and losing by them, would not be induced to repeat that speculation; that is, if he took out this year a hundred bales, and lost ten per cent. by them, he would be induced next year to take out fifty only.

Do the Hong merchants act so far in connection as to make it, in fact, a monopoly of trade among themselves?—No, by no means, every man is governed by his own individual interest.

Each Hong merchant trades as much as he can for himself?—No doubt.

But no other person, without their sanction or permission?—Certainly not; they cannot import our manufactures, nor can they purchase but under the sanction of his chop or licence.

Supposing a large number of persons at the market, do you think that would lead to any deterioration of quality?—Most undoubtedly; the deterioration of quality would be very considerable, from the want of judgment in the persons purchasing; at present, the Company have the advantage, not only of their own resident supracargoes, but they are also assisted by a tea-inspector, a gentleman conversant in the tea trade in this country; and no teas are received from the Hong merchants and shipped on board the Company's ships on the Company's account but what undergo a very rigid inspection from this gentleman.

Do you mean that the Chinese are that sort of people, that when dealing with Englishmen not so conversant with the business, they would take advantage of their want of judgment, and materially lower the quality of the teas?—I have a perfect recollection when the Company first sent out an inspector to Canton, for the purpose of inspecting the teas; the advantage they derived from that inspector was, that he immediately classed the teas, and he distinguished those chops that were of a particular quality, and those that were of an inferior; those that were of an inferior he rejected altogether, on account of their false package, and they were subsequently purchased at an abatement of about one third of the price; I do conceive this had the effect of making the Chinese more circumspect in the package of their teas; and that the delivery of teas to the Company always takes place of a superior quality.

Do you recollect what description of purchasers those teas met with?—They were sent to this country, under the denomination of superior hysonskins.

Do you think the high prices you suppose the open trade would induce, might also induce material admixture or deterioration of the article, in order to bring down the price nearer to the level of the present prices?—I have no sort of doubt that an open trade to China would tend to deteriorate the quality of teas; for they would no longer undergo the rigid inspection they now do from the Company.

Do you think they would deteriorate them to bring them down so as to meet the convenience of all the purchasers at low prices?—I think this, that there would not be so much attention paid to the package of the teas, and the teas would be deteriorated in quality in consequence of their not undergoing the same inspection as they now do.

Do you think they would be tempted under such circumstances, in order to meet purchasers at a low price, to mix any other drug or vegetable with tea?—They certainly would mix the teas, and would falsely pack them.

Do you apprehend substitution would follow this open trade?—I have already stated, that a consequence of an open trade would be a deterioration in the quality of the teas; the Company now have the refusal of all the best teas that come to the market; all the best teas arriving at Canton, are now tendered to the Company.

Since your acquaintance with Canton, can you say, whether either by the Company themselves, or their commanders or officers, every degree of enterprise has been used to increase the exports of this country in British manufactures?—I have no doubt of it; for in every Company's ship going from this country, I believe there is to the extent of about ninety tons allotted to the commanders and officers of the ship, which they fill up in any manner they please, except with woollens.

In the course of years, and in those assorted cargoes, has every rational attempt been made to increase the export of British manufactures to China?—I am satisfied every experiment has been made, and is continually making by the commanders and officers of the Company's ships; who are men of considerable enterprise; and if any articles were saleable in Canton, they would carry them out.

Do you apprehend, that opening the trade to China would materially increase the Chinese consumption of British manufactures?—In no degree whatever, in my humble opinion; I do not think the Chinese are to be induced to wear buckles, or to use knives and forks; I mean by that sort of answer to state that their habits are fixed.

Do you mean, that from the fixed habits of their life and their general character, you would entertain no hope of increasing the export of British manufactures, under the circumstances of an open trade?—I conceive, that the privilege afforded of 90 tons in each ship, filled up by the commanders and officers, gives every opportunity of experiment that can be made from this country to China.

Have those experiments been made, in point of fact, more or less during the number of years you have resided at Canton?—Every year there is some new article attempted to be carried out, which turns out favourable, or otherwise.

Can you state what articles of British manufacture were consumed by the natives of the Eastern Islands?—I should not suppose that the natives of the Eastern Islands consume any articles of British manufacture.

Do they use coarse cutlery?—Coarse cutlery, Malay knives as they are called; but those articles are generally carried out to Bengal; and the trade to the Eastern Islands is carried on from Bengal; I once had a ship myself engaged in it, she carried nothing but opium and dollars.

Did you adventure upon articles of British manufacture to the Eastern Islands?—Most certainly not; nothing but opium and dollars.

Can you state any other article of British manufacture but coarse cutlery, the Eastern Islands take?—I really cannot; and I shall suppose coarse cutlery is in very small quantities, hardly worth sending; piece-goods for the turbans, and for the comberbands of the manufacture of Bengal, are also exported; but the ship I sent, carried nothing but opium and dollars.

According to your general knowledge and experience as merchant and agent, do you believe that, in case of an open trade, there would be room for any increased export of British manufactures to the Eastern Islands?—I should think not.

Supposing the trade thus opened, and that every subject of the United Kingdom had access to the eastern seas, is it your opinion that, with proper and previous arrangements, and supposing tea to be the object of the adventurer, he could get supplied in those seas without going to Canton?—By proper arrangements, he might have any quantity of teas.

In what way would they obtain this supply?—Many country ships return from the port of Canton without any cargo whatever; and those ships might take any quantity of tea; a previous arrangement would induce them.

The question refers to parties who might be prohibited from going absolutely to Canton; supposing those seas to be open to all the subjects of the United Kingdom, such being the object of the adventurer, could not he get supplied with teas?—The Portuguese from Macao might export teas in any quantity.

Through this medium, English country private ships might be supplied from the Eastern Islands?—Yes, doubtless; a considerable export might also take place in

Chinese junks to Batavia; there are at present five junks sail annually from the port of Amoy to Batavia; and I am told the emigration upon these junks amounts to 3,000 Chinese every year; there are above 40,000 Chinese established in Batavia and its dependencies; and these Chinese junks supply them with tea and other articles; but if tea were once made an article desirable to be purchased at Batavia, I am satisfied it might be made an article of supply nearly as cheap, on account of the duties and charges of shipping off.

Speaking as a British merchant, and looking to an open trade in those seas, and adding the British duty of ninety five per cent. to those duties which you think would be avoided in China, do you think that this universal access to the eastern seas would induce smuggling as an enterprize or adventure upon the part of those who should have access to them?—I have no doubt teas might be procured with the greatest facility in the manner I have described; but were I engaged in a smuggling transaction of this kind, I should not go that way to work, I should not employ those means, I should employ an American.

Do any means or medium occur to you, through which a British adventurer might then extensively smuggle teas?—I do conceive, that unless some regulation takes place to prevent the export of teas in country ships from Canton, tea may be from thence exported and deposited in various places in the course of their voyage from China to the ports to which they belong.

Do you mean that they would be deposited, for the purpose of being met with by such adventurers as you have described?—If an arrangement of that kind took place, no doubt teas might be had in that way in any quantities, exported in the country ships sailing from Canton to Bombay; they would pass Malacca, Penang, the Port of Tringany, and might deposit tea there, and in innumerable other ports.

Is Manilla a place or station peculiarly favourable for a speculation of that kind?—No doubt, there are Portuguese ships and Spanish ships that trade from Manilla to Macao, and Macao to Manilla, and in those ships teas might be exported to any amount.

What sort of teas are those which are sold to the Americans?—The Company have the offer of all the best teas that come to Canton; of course, those the Americans purchase, with a very few exceptions, are those the Company have rejected.—Generally speaking, the American cargoes are infinitely inferior to the Company's cargoes; I will not undertake to say every individual chest has been previously rejected, that would be too much to assert.—I have no doubt a comparison being made between a cargo of teas purchased by the East India Company, and a cargo of teas purchased by the Americans, the Company's teas would be of a much superior quality; but with respect to the American being able to undersell the Company, that would depend upon the terms on which he had done his business at Canton; for instance, if the American had dealt on credit, and wholly on credit, he must be content to pay a larger price for an inferior quality of tea.

(Examined by the Committee.)

Is the Committee to understand, that you suppose, that in the event of an open trade, a very considerable deterioration in the quality of tea would be likely to take place?—I think that would be one of the consequences of an open trade.—It arises from an opinion that I have, that it would take a considerable time for any set of men to enter into that commerce, and to be competent judges of the articles they were to purchase.

Do not you suppose it likely, that in the event of a free trade to China, persons well acquainted with the different qualities of tea would proceed from this country, for the purpose of engaging in that commerce?—I have no doubt they would; but my great reason goes in this way, that the Company's teas are now purchased by the Company's supracargoes, who are the purchasers of four-fifths of the whole quantity of teas that they sell; their purchases are regulated under the inspection of supracargoes, and an inspector, who are competent judges; but if the trade was thrown open, and there were eighty ships, and eighty supracargoes to purchase the same quantity, and, of course, each having an individual interest only, not a general interest, as the Company now have, the teas will necessarily become deteriorated, because there is not the same strength of judgment to bring into the general inspection.

Are not you of opinion, that a free competition in the purchase of tea, as in

all other articles, will produce to the public the best commodities at the lowest possible price?—My great reasoning has been to shew, that the Company have kept down the prices of teas; that for the last 35 years the prices of tea have advanced in a very small degree; but I have no doubt, if the trade were thrown open, any set of men going to purchase superior teas must pay a larger price; there would not be a general standing price as there is now; and in consequence of the price being advanced for a particular set of teas, that would have the effect of advancing the price generally upon all teas, and when once a larger price was fixed, it would never get down again. Another inconvenience would result from an open trade: the Company's ships are now upwards of 1,200 tons burthen, with a view to this particular trade; were the trade to be thrown open to individuals, and ships of smaller burden introduced, ships of 350 tons, there would be a disadvantage of at least 50,000*l.* per annum in port charges, the port charges upon a large ship not bearing any proportion to those upon a small one.

At the different times you were in China, were there many foreign vessels belonging to Americans or other states?—Yes, I can enumerate them if it is wished; the Swedes, in general, had two ships; the Danes one or two; the Dutch five; and the French one: I am speaking now of from 1787 to 1792.—The Americans had very few ships in China, to the best of my recollection, till 1793; and I consider the great encrease of the American trade to have taken place from that period; the war tended very much to the encrease of the American trade in China.

What size of vessels were generally employed?—From 250 to 300 tons; the American trade was not entirely confined to the export of tea from China, but they exported large quantities of nankeens and silks, upon which they derived very great advantage by the sale to the French West India islands and Spanish America; I have known an American ship take from China 300,000 pieces of nankeen in one season.

Do you happen to know whether there were many disputes or differences arising between the Chinese government and any of those persons?—I am not at all aware of any; I wish also to state, that though I do not desire to be considered as an advocate of it, yet I do conceive, that the trade between America and China has tended to facilitate the trade of the English in China, by the quantity of dollars they have imported to China; for in consequence of the import of dollars to China, by the Americans, Portuguese, and Spaniards, the Company, I believe, no longer export bullion from this country to China, but on the contrary have imported a large quantity of bullion from China to this country; and, I believe, such, generally, is the advantageous trade carried on by Great Britain and its dependencies to China, that the trade, as between Chinese and British subjects, has become very nearly a barter; indeed, if it was possible to procure an exact return of all the imports and all the exports from Canton, I have no doubt it would be found this country had made the Chinese tributary to us.

Is the Committee to understand it to be your opinion, that a considerable loss has arisen to the Company from the exportation of woollens to China?—I did not intend to have so stated it; but I mean to say, that the export of woollens by the Company is so considerable, that no individual can export from this country to China with any advantage, or without a loss, the market to China being continually stocked by the Company.

Are not the country ships secured by the Hong merchants, in the same manner as the Company's ships and others are?—The country ships are secured by the Hong merchants, who purchase their cargoes.

Is not that security tantamount, in every respect, to the security of the Company's ships?—The Hong merchant, who secures the ship, is merely responsible to the government for the duties on import and export of that ship, and the good conduct of the commander and ship's company.

Are not the country ships, which go to China, placed under the orders and regulations of the Company's supracargoes there?—The country ships arriving in China, immediately after their arrival receive certain instructions from the Company's supracargoes, to which they are to attend.

Can you, from your recollection, state the tenor of those regulations?—The general tenor is admonitory as to their good conduct, to prevent their getting into any disputes or disturbances with the Chinese; with respect to the disposal of the cargo, the Company's supracargoes have no controul.

Are you aware of the covenants entered into by the owners of country ships with the government of India, by which they are bound to attend to all orders and regulations of the supracargoes at Canton?—I believe such covenants exist.

Have you heard that a penalty of double the value of the ship and cargo is attached to the breach of those covenants?—I do not know the exact extent of the penalty; but it may be to the amount mentioned in the question.

In the event of a regulation being made by the supracargoes at Canton, that no country ship should receive on board teas, do you not think that such regulation would be effectual to prevent the export of teas from Canton by country ships?—No doubt it may be rendered; but that will depend upon the disposition of the parties to comply with the covenants.

Is it usual to ship any considerable quantity of tea upon the country ships for India, or only a small quantity for the use of the different settlements in India?—I have in my recollection a quantity of teas belonging to an American being shipped on board a country ship bound to Bombay; and, I believe, from Bombay they were afterwards exported to America.

Has this been a usual trade, or is it only a solitary instance to which you allude?—No doubt it is a solitary instance to which I allude; but still it is evidence of the practicability of the exportation of teas from China; and it shews also, that Company's supracargoes take no cognizance of the shipment of teas on board country ships; for there is no particular register kept of the exports from China to the settlements in India; there is no doubt, regulations might be made to fit the case of exports of tea in country ships.

You are no doubt aware, that there is at present no regulation to prevent the export of teas from China in country ships?—There is not at present, to my knowledge, any regulation to prevent the export of any quantity of tea in a country ship.

Do not you think, that in the event of such a regulation being made, with a penalty attached to the breach of it, such as before stated, of the forfeiture of double the value of ships and cargo, it would be effectual to prevent teas being carried to India for such purposes?—I think it would.

Is there not a regular account kept of all goods exported from Canton in the linguists' office?—The linguists no doubt take an account of all goods exported, and on board of what ships; but I believe it would be extremely difficult to have recourse to such documents, if they exist, after the goods are shipped off.

Are not you of opinion that the Company's supracargoes in China, from their great influence with the government there, would be enabled to frame such regulations as would effectually prevent any goods being shipped on board the country vessels, without being reported to them?—If the question goes merely as to the influence of the Company's supracargoes being able to prevent the Chinese from exporting on particular ships, I should say not; because they may always smuggle on board ships any thing they please; the prohibition must arise from the penalty inflicted upon the ship exporting.

Are you not of opinion, that if the Company's supracargoes were to require an account of all goods regularly shipped off from China, it would be delivered in by the linguists to the supracargoes?—The linguists, upon the requisition of the supracargoes, would give an account of every article shipped on board a particular ship, no doubt,

Are you aware of a very considerable rise having taken place, of late years, in the prices of goods exported to India from China, such as sugar, tutenague, and raw silk?—I have no doubt there may have been a considerable advance upon the articles mentioned.

In case of disappointed views from legal commerce by any of the numerous vessels of 350 tons, from British out-ports, trading to the Eastern Archipelago, would the means of procuring teas, brought from other parts of China by Chinese junks at less charges than are paid at Canton, be easy, if disappointed commanders of those vessels could be tempted to embark in an illicit commerce?—It is not at all likely that any considerable quantities of teas would be exported and deposited in any particular place, unless there was a previous arrangement.

Supposing this previous arrangement to have taken place, would the means of procuring teas from other parts of China than Canton at less charges than those paid at Canton be easy, if disappointed commanders of those vessels could be tempted to embark in an illegal trade?—I do not think that would be easy; there must be a previous arrangement, and that previous arrangement would require great

time; and there must be a great capital embarked; the question is so speculative, that I should prefer not answering it.

Is not tin brought to Canton by the Chinese traders, and other persons, from the island of Banca?—Considerable quantities of tin are imported annually by the Eastern traders from the Straits of Banca.

Do you know pretty nearly, the relative prime cost and charges on which tin is brought from Great Britain, and what is brought from Banca?—No; I cannot speak to that; but it is much cheaper from Banca, generally speaking, and the quality is far preferable, being much more malleable and soft.

Supposing the trade was opened, and a greater resort of private ships from England to take place, do you or do you not think that matter of itself would be likely to give umbrage to the Chinese government?—From my experience, I should rather think the Chinese government would prefer the trade to China being carried on in the present mode rather than in any other, from the extreme regularity with which the business is at present conducted, from the high respectability, from the honour and probity with which their transactions are conducted by the present supracargoes.

Do the Chinese government regard the supracargoes as having any magisterial authority over Europeans, so as to resort to them in case of dispute, and consider them responsible?—The medium of communication between the Europeans and the Chinese government, is, generally speaking, the Hong merchants, and no doubt the chief supracargo is applied to in all cases of disturbance.

You have stated, that some difficulties in trading would arise, if an imperial ship was to arrive at Canton?—I think, until the debt was liquidated there would be a difficulty, and that difficulty would arise from the representation made by the creditors of that Company.

Do you recollect a ship called the Etrusco having arrived in those seas?—Yes.

Under what flag was she?—The flag of the duke of Tuscany, to the best of my recollection; there was a distinction which the Chinese perfectly understood between that ship and imperial ships; they never attempted to confound her with them.

Did she always bear that flag?—Always at the port of Canton.

In any other part of the world?—I can only speak from hearsay as to that; I believe the ship that arrived at Canton, was not the original ship that sailed from Europe under Tuscan colours.

Have you understood that there have been ever any complaints made against the commanders, officers, or crews of the country ships at Canton, or has not their conduct been at all times peaceable and orderly?—Generally speaking, yes; but the great dispute between the English and Chinese upon the occasion of the gunner, which is in every body's recollection who knows any thing of China, originated in a salute fired from a country ship.

Having alluded to that unfortunate circumstance, was it not understood that the Chinese having lost his life upon the occasion of firing that salute, was entirely accidental?—Entirely accidental, from the wadding of a gun.

Mr. JOSEPH RANKING was called in, and examined:

Mr. *Grant.*]—Have you not dealt extensively in cotton piece-goods from India?—I have, for more than 20 years.

Can you state what is the *ad valorem* duty on piece-goods sold at the East India house?—The duty on the class called callicoes, is 3*l.* 6*s.* 8*d.* per cent. upon importation; and if they are used for home consumption, there is a further duty of 68*l.* 6*s.* 8*d.* per cent.; there is another class called muslins, on which the duty on importation is 10 per cent.; and if they are used for home consumption, of 27*l.* 6*s.* 8*d.* per cent.; there is a third class, coloured goods, which are prohibited being used in this country, upon which there is a duty upon importation of 3*l.* 6*s.* 8*d.* per cent.; they are only for exportation; this session of parliament there has been a new duty of 20 per cent. on the consolidated duties, which will make the duties on callicoes, on importation, amount to 3*l.* 16*s.* 8*d.* per cent. and if used for home consumption, 78*l.* 6*s.* 8*d.* per cent.; upon the muslins for home consumption, 31*l.* 6*s.* 8*d.*, and the prohibited goods will be chargeable with 3*l.* 16*s.* 8*d.*; I am not quite certain what the consolidated duties on muslins are on importation; I rather think it will make them about 12*l.* per cent.

In what manner is the amount of the *ad valorem* duties on goods of this description ascertained at the India house?—It is chargeable on the amount the goods sell for at the Company's sales.

The value of goods to pay duty is ascertained by the actual sale?—Yes, by the actual sale at the Company's sale room.

When *ad valorem* duties are imposed on goods sold elsewhere than at sales of the Company, in what manner is the duty ascertained?—The merchant values his goods, and if the King's officer is satisfied with that valuation, he pays the duty accordingly; but if the King's officer thinks the goods are undervalued, he has an option of taking the goods himself, and paying the amount at which the merchant values his goods.

Is that the single or the chief security against the fraudulent valuation of the article by the importer?—I believe there is no other.

Do you conceive that it would be easy to set an accurate average value on piece-goods from India, in any other mode than by the actual sale of the article?—I should think it would be nearly impracticable; there is such a variety of classification, that I do not think persons would be found with sufficient judgment to know the value of different articles.

Do the piece-goods apparently of the same quality, in point of fact, differ very greatly in value?—Not apparently of the same quality; there are goods of the same denomination that differ very much in value; for instance, the goods imported by the East India Company are very superior, in general, to those imported by private traders; the qualities are very much debased by the private traders in general, they are goods of the same denominations, and called by the same names; it requires judges to know the difference.

Can you at all state what difference of price you have known upon piece-goods of the same denomination, in the same sale?—Goods of the same denomination are of various qualities; I have known goods of the same denomination and the same quality, differ as much as from 5 to 10 per cent. in the course of the sale; it very often happens in the course of a sale, orders come from abroad, and people want to purchase a greater quantity, and there is more competition; it drives up the prices very much.

Can you state from your experience, whether such variations as you have described are of frequent occurrence?—The variations are not very great, but they frequently occur to the extent of 5 per cent.; but I have known them go so far 15 per cent. where there has been a great deal of competition; it is not a frequent case by any means; it occasionally occurs.

The slighter differences of which you speak, are very frequent?—Yes, they have occurred, and do in most sales.

Supposing that the trade in piece-goods for exportation were laid open to the out-ports of the United Kingdom, do you conceive, that the collection of *ad valorem* duties upon the article could be conveniently effected?—I think that would be almost impracticable, and that the London merchants would be labouring under a great disadvantage; they would be obliged to pay a duty upon the price at the East India Company's sale, where people assemble in time of peace from most parts of Europe and Africa, and things are driven up to their full value; if they were permitted to be valued at the out-ports, where persons could not detect fraud, the merchants there would have a much greater advantage.

Is it your opinion, that under the circumstances in question, the revenue might be defrauded to any considerable amount?—I think it extremely probable that that would occur; I do not think persons could be found competent to know the real value of those goods.

Can you state what would be the general effect on the trade from India in piece-goods, of having private traders admitted to that trade?—As a dealer in piece-goods, I conceive, we should find our confidence very much shaken; we should not be able to judge of the quantity that might be brought to sale at the East India Company's periodical sales; the goods are all under one roof, we know the quantity in the market, and can act with confidence; but we could never tell, if private traders were acting in the out-ports, what quantity might be brought into the market, and we could not act with the same safety and confidence.

On the suppositions before made, do you conceive it probable that any number of piece-goods taken out of warehouses at the out-ports for the purpose of exportation, will be illicitly introduced in the home consumption?—I am of opinion that it would increase the facilities for smuggling very much; the commissioners of the customs, some time ago, prohibited the white calicoes which are permitted to be consumed at home on high duties, being shipped at the out-ports and sent

by land carriage: I suppose in consequence of their conceiving it would give a facility to smuggling.

On the supposition that India piece goods, in any great numbers, could be fraudulently introduced into the home consumption, what effect, in your apprehension, would be produced on the cotton fabrics of this country?—I think it would lessen the consumption of our own cotton fabrics, if those cottons were fraudulently introduced.

Can you state the comparative excellence of the coarser piece-goods from India, and similar cotton goods manufactured in this country?—I am of opinion that the East India goods, where a great weight of material is required, are cheaper and better than those manufactured in this country, but that the middle classes are very much interfered with, or are surpassed even by the British manufactures of the middle qualities.

Do the British goods of those descriptions wear as well as the Indian goods?—I suppose they do; I have not much experience of that, but I conceive they do.

You have stated, that on the supposition of the trade in piece-goods being extended to the out-ports, a considerable quantity of such goods might be smuggled back into this country for home consumption; do you think that such illicit practices could be carried on profitably by the smugglers, in spite of the risks and charges with which all attempts to evade the revenue laws are known to be attended?—I should think it might to a certain extent; the duties are very high, the duties are prohibitory on those calicoes; if the duty was twenty per cent. or forty per cent. less, it would still be very high, and I think many of those classes of goods would be consumed in this country.

Do you know what is the difference between the prices per yard of British white calicoes from the manufacturer, and Indian white calicoes of nearly the same dimensions and quality?—Comparing the goods sold at the Company's Bengal sale in March, with the prices of nearly similar goods of British manufacture, I should think, on an average, the India goods were from 20 to 25 per cent. dearer than the British goods are at present; in many instances the difference is greater than even 50 per cent.; I could collect particular instances, but have spoken of an average price when I say from 20 to 25 per cent.

You have before spoken of the comparative merit of Indian and British piece-goods of the coarser and middling qualities; can you state what is the comparative merit of such goods from the two countries, of the finest qualities?—The very finest qualities of East India goods are decidedly superior, and cannot be imitated with success in this country; the goods of the manufacture of Dacca I particularly allude to.

You have before stated, that the admission of the out-ports to a participation in the piece-goods trade would be inconvenient to the fair British consumers in the metropolis?—Rather to the dealers, because those goods are principally exported that we buy at the Company's sales; or to the importers, if we are to have the same liberty to import piece-goods which they have at the out-ports, which we should of course have; and we should be under a great disadvantage in having to pay full duties, while they pay what they chuse, in fact, according to my opinion of the effect.

Can you form any opinion what effect would be produced upon the foreign consumption of piece-goods, under the circumstances before described?—The foreigners who resort to the Company's sale, would suffer the same inconvenience we should who are buyers of those goods; they would have their confidence shaken, they would not know how to act; by the present system, we know what the East India Company and private trade mean to bring forward at their sales, and we have them under one roof, and know how to regulate our purchases by the quantity and market, which we should not be so well informed of, if the goods were distributed among five or six out-ports; we could not act with the same confidence.

At what interval of time before the sales, do the Company give notice what goods they intend to put up?—As soon as the Company receive the manifest from the ship, within a week from the arrival of the ship the Company publish an account of her cargo; and we then distribute that among our correspondents in various parts of the world, and receive orders from them before the sales.

Do the Company state precisely of what species the goods are which they intend to put up at their sales?—Yes, it is very accurately stated, as far as relates to the goods belonging to the Company; those goods belonging to individuals are stated in bulk; so many bales of calicoes; we

do not know the sorts, and it would be difficult to describe them, because they are of a debased species of goods in general.

Are not the goods intended to be put up, both those belonging to the Company and to private traders, previously exhibited for inspection?—Yes, for a considerable period, perhaps for two months.

Has not the foreign consumption of piece-goods been promoted by the effect of that regular course of proceeding, in regard to the sales of the Company, which you have described?—I should conceive it has been very much promoted by it.

Are the foreign merchants in the habit of sending declarations of the goods which are to be sold to their correspondents abroad?—Yes, they are.

Would this course of proceeding, with respect to foreigners, be consistent with an arrangement which should admit the out-ports to a participation in the piece-goods' trade?—As a dealer in piece-goods, I anticipate great inconvenience from that system being adopted; it would be impossible for a foreigner to come here, and travel to Hull, and Glasgow, and Liverpool, and various other ports; I do not know to what ports this liberty may be extended, but it would distract his attention, and prevent his acting with the confidence with which he can now act.

You assume, that the goods are to be sold at the out-ports by private contract?—Even if they were to be sold by public sale, the quantity might not be sufficient to draw people 400 miles; and they would not act with that confidence they can now act.

Are you of opinion, that the circumstances you have described would materially derange the sales of piece-goods by the Company?—I think they would.

From your knowledge have not foreigners, receiving from their correspondents here declarations of the goods about to be put up at the sales of the Company, occasionally visited this country for the purpose of making their purchases in person?—In time of peace, I have seen more foreigners in the Company's sale room from the different parts of Europe, than there are persons in this committee room at present; from Germany, Switzerland, Russia, Holland, and France.

Can you say whether that circumstance has promoted the consumption of the manufactures of this country among foreigners?—I think it has very much; for those foreigners, when they come to England, have purchased large quantities of British manufactures.

Do you speak from your experience?—From my own dealings with them.

(Examined by the Committee.)

You are acquainted with the British manufactured goods?—Yes, I am.

Do you find that the prices fluctuate very much in the market?—Considerably.

To what do you attribute that?—To the state of the demand.

You never attributed it to a greater importation of East India goods, did you?—No, never.

Are not they used for the same purposes, those imported from the East, and those manufactured in this country?—Yes, there are similar goods manufactured in this country, but the East India goods for the consumption of this country are liable to enormous duties; the calicoes, for instance, are liable, besides the 3*l.* 6*s.* 8*d.* to a duty of 68*l.* 6*s.* 8*d.* if they are taken out of the East India warehouses for home consumption.

You are aware that the piece-goods are not intended to be consumed in the country?—Certainly not.

That you consider as the reason why the protecting duty was established?—I look upon it as a protecting duty to encourage our own manufactures.

Then there would be no danger, provided the out-ports were open to East India goods, from the circumstance of East India piece-goods being sold in the country?—They would be subject to the same duties; and I do not imagine any of them, or to any extent, could be consumed from this country, from the duty being so high.

You were understood to say, that the revenue was in danger of suffering from the duties not being so clearly ascertained in the country as in London, do you know any defect that would arise from the same system of an *ad valorem* duty being established there, as is here?—I think the danger would be this, that the *ad valorem* duty would be levied by the merchant himself; I do not think a merchant would be able to be detected if he was disposed to commit fraud; for he might value articles at 10*s.* a piece that would sell at the East India Company's sales at 15*s.*; owing to competition, every thing fetches its utmost value, and every imposition might be practised; I think, even at a public sale, things might be collusive; that the mer-

chants might put up their goods, and buy them in themselves, and pay a smaller duty than they would in London, where people attend from all parts of the earth.

Are you not aware, that competition would prevail at the out-ports as well as in London?—I am of opinion, there would not be a competition.

Does that arise from the out-ports having but few traders in them?—I should imagine the traders would be attracted to that place where they conceived the greatest assortment, which would be London.

Do not you know, that the goods imported from the east, vary very much in quality?—Very much.

Do not you know, that some of the East India goods, are full as low in quality as any manufacture in this country?—Quite as low; some of the goods imported by the private traders are very much debased in quality; they call them by the same denominations, but they are totally inferior to the Company's goods, which are made up to a certain standard, and a certain length and breadth; we can buy those goods with very little examination from their uniform quality, upon the Company's description of them, the Company's mark, the characters they give them; they are very ably classed; the same denomination of goods are divided into letters, and we can write to our correspondents abroad, and state a particular article, letter A. B. C. or D. and the person can, with full confidence, order, if we tell him the mark, and say what class or letter he will have; that has not been done in the private trade.

You mean by debasement, a species of goods of an inferior quality, adapted for the consumption of the lower class of people?—I mean, that they are very inferior goods, and sold at an inferior price; goods of the lowest price.

There is no other debasement, there is no dishonesty practised?—No; but we cannot depend upon the quality of those goods at all; we buy them with our eyes open; we go and examine them previously; but I would not write to Hull or Liverpool, and say buy 500 bales, or one bale of such a class, I must go down to examine them.

Will not goods that are likely to be sold at the country ports be as open to inspection as they are when sold in London?—I suppose they will be, or they will not find any buyers if they will not allow them to look at the goods.

If the system was so much altered, as that foreigners were content to have their goods by order, have not the sellers of the goods a character to maintain, and would they not be careful in executing those orders so as to give satisfaction?—I have no doubt every respectable merchant would act to the best of his judgment, and would give very faithful advice to his correspondents; but there would be a great difficulty in describing those goods; when the Company print a price-current, the goods are classed and put in letters, they are described from all the different facts, perhaps there will be twenty sorts of battaes; we know by practice what they are, and we can correspond with people abroad, and give them those accounts which would be quite impracticable with private trade.

Do not you know that goods, assuming the same name in the east, differ very much in quality?—Very much.

If they differ very much in quality, there must be some manufacturers that make a debased article?—There are the individual private traders; I could elucidate what I am stating, by saying, at the Company's sales we give for the battaes manufactured at some manufactories, 12*s*. perhaps, to the East India Company, when we purchase battaes in the private trade, at from 7*s*. to 7*s*. 6*d*., so that I mean to shew we could not fairly describe those goods.

Are not you of opinion, that the goods imported from the east are sometimes sold in large quantities, more than the usual quantity some years?—Yes; they fluctuate very much.

Suppose three times the usual quantity were offered at their sales, would not the prices be very much depressed?—Certainly; I look upon it, the price is regulated by the quantity of goods brought to market, and the state of the demand.

Would not that depression very much affect the home manufactures?—Those goods, I believe I explained, were all exported when the home manufactures are depressed; they are depressed; they keep pace pretty much with each other; the home manufactured goods have advanced, I believe I speak within compass, when I say 20 per cent. within the last few months; and there has been a very trifling rise in the Company's goods, even after the sale.

You attribute that to the East India goods being for exportation, and the goods made here being for home consumption?—Yes.

Are you not of opinion, that under all the advantages stated by you, of ordering goods to be purchased at the Company's sales, and the disadvantages which would attend ordering similar goods to be purchased at the out-ports, the port of London would always have the preference?—I believe I stated that I thought so, because there was a greater choice in the port of London; greater assortments of the Company's goods will also be sold in the port of London; they are of a very respectable quality, and command attention of the buyers.

Are you of opinion, therefore, that any material injury can arise to the interests, either of the Company or the port of London, from opening the trade to the out-ports?—As a dealer in piece-goods, I am of opinion, material confusion would be occasioned by it, and goods of bad qualities may sell at nominal low prices at the out-ports, and may have an influence upon the prices of goods sold at the Company's sales; if those goods were all exposed to sale in London, they would find their level; people would examine them and pay according to the quality; there could be no misrepresentations then.

Mr. Cartwright, the Company's Accountant General, was examined.

He proved the amount of the pecuniary engagements which the Company have to discharge annually in England, and their means of discharging them.

State what may now be the amount of the pecuniary engagements on account of the Indian territory, which the Company have to discharge annually in England?—The Company will probably have to pay for interest on the Indian debt, 1,500,000*l.* a year; and I judge they will have to pay that sum, because the rate of exchange is so advantageous, that though the persons who will be entitled to receive the bills in the first instance may not be inclined to remit, still there will be persons who will purchase those bills, perhaps at a premium, for remittances. The Company will have to remit for the pay of military retired officers in England 200,000*l.* a year; they will have to pay for passage of military to India, political freight and demurrage 150,000*l.* per annum; the Company will have to pay for political charges general a sum equal to 230,000*l.*; they will have to pay to the pay office general on account of recruiting about 300,000*l.* a year; they will have to pay for interest on the Carnatic debts when they shall be all liquidated, 136,000*l.* a year; they will have to pay for interest and for the sinking fund on the loan of two millions and a half, an annual sum to the amount of 242,820*l.*; these several sums will amount to 2,758,820*l.*

State what may be the annual amount of the exports made by the Company in goods and stores, for which the returns must be made to England?—The Company have hitherto exported to the extent of one million nine hundred thousand and odd hundred pounds.

Upon what average do you take this?—I think upon the average of the three last years.

Does that statement include the exports both to India and to China?—Certainly; but I presume that in future, if the private traders should much interfere with the Company, a very considerable reduction must take place in the Company's exports; and therefore I assume, that they will only export to the amount of one million and a half, annually.

What is the annual amount of the bills drawn by the governments in India on the Company at home in favour of the commanders and officers of the Company's ships?—That question I cannot exactly answer; because I think in future the commanders and officers will not require the draft they have formerly done; if they have money to return in the shape of bills, they will purchase the bills that will be in the market of India; but the case will be otherwise in China; the commanders and officers there probably may take the full allowance, which is 5,000*l.* per ship, amounting to 80,000*l.* per year.

Do you conceive that a due and punctual discharge of the pecuniary engagements you have described, is essential to the welfare of the Company?—Unquestionably so.

For the discharge of all these obligations, amounting to upwards of 4,000,000*l.*, in what manner will the funds be most securely and conveniently remitted from India to the Company in England?—I conceive by goods, on the Company's account.

Describe what are chiefly the goods through which the Company derive the funds before mentioned, as being remitted home for the discharge of the pecuniary obligations incumbent upon them?—The Company receive by means of the tea trade, in the prime cost of the goods, and the profit upon the goods, 2,536,000*l.* a

year; in like manner the Company, by their investment of piece goods, realising the prime cost and the profit, after deducting the customs, charges, and freight, receive 967,000*l.*; and by raw silk, in like manner, they would realise about 477,000*l.*

Upon what average are those taken?—Upon the actual amount of the last year's sales, they are rather larger than the sales of former years.

Have you enumerated all the articles?—There are other articles sold at the Company's sales, but they are very trifling.

What is the total of the produce in England of articles sold at the Company's sales?—About four millions.

Does the produce of the articles sold at the Company's sales amount to the sum of their pecuniary engagements, as stated by you?—They fall short nearly 300,000*l.*

You stated yesterday, that the produce of the articles sold at the sales of the Company fell short of their pecuniary engagements by a sum amounting nearly to 300,000*l.*; explain the cause of this apparent difference?—The cause I conceive to arise from the very large drafts that will be made upon the Company to pay interest upon the Indian debt, being as stated a million and a half a year; this sum is in a great degree new; the annual amount perhaps previous to this period has not exceeded 500,000*l.* for interest, and it is not to be expected that the commercial profits of the Company, or any thing arising out of the trade, can find a sum to pay an annual sum of a million. In answering the question I did not advert to a circumstance that I ought; in showing the amount that was to be realized from the sales of the articles stated, and comparing that with the amount that the Company would be called upon to pay, I did not advert at all to the extra quantity of goods that ought to be invested in India, in consequence of those payments being transferred from India to England, and in consequence of that circumstance there appeared to be that deficiency; but I conceive if we could find vend for the goods that would be additionally purchased by those funds so taken there would be no deficiency, but that is still matter of doubt; if the private traders under new regulations should interfere very much with the Company's regular trade, there must be a deficiency, I conceive, or the Company must revert to this circumstance, which will certainly be highly detrimental to the nation; they must be obliged to reduce their exports of the raw materials of the country, and the woollens of the country, in some degree; they cannot afford to benefit the country to the extent they have if they cannot find a return for the goods they send out.

James Drummond, esq. a member of the House, was examined:

Mr. *Impey.*]—You were a supracargo in the East India Company's service at Canton?—I was for 20 years.

Did your situation give you an opportunity of being well acquainted with the China trade?—I think it certainly did.

Did it also give you an opportunity of being well acquainted with the character and dispositions of the Chinese; as well acquainted as it is possible for foreigners to be, trading to that country?—Certainly, I think it did; not being admitted into that country.

Do you conceive it to be a part of their character to be extremely jealous of strangers?—Particularly so.

Have they, in consequence of that jealousy, formed any regulations for the purpose of restraining the intercourse of strangers with the natives of that country?—There are various regulations of the government to restrain strangers from entering the country, as also to keep them subordinate and in proper order during the time of their remaining in the country.

Are there likewise restraints laid upon the general commerce of strangers with China, by means of the Hong merchants?—So far there are restraints, that they can deal with no other persons than the Hong merchants, a body established by the government; and strictly speaking, lawfully no stranger can deal with any other person whatever.

Have the goodness to state to the Committee in what manner the Hong merchants are security for the good behaviour of such persons as trade to that country?—Upon the arrival of any foreign ship at the port of Canton, she is not permitted either to land or to have any intercourse with the merchants of the port, until some one of the Hong merchants becomes responsible, or, as it is termed, security for the ship; when that is accepted by the government, they are then permitted to land their cargoes, and to deal with any one of those Hong merchants that they think proper.

Have the goodness to state to the Committee in what manner in China the natives of any particular nation are considered as responsible for the acts of all others of that nation?—It has generally been considered by the supracargoes resident in China, that the chief of the factory is responsible for the acts of all those persons belonging to his nation, though I cannot exactly declare positively that it would be considered so by the government; but it is a generally received opinion, and certainly in more instances than one the government have declared, that they would hold the chief responsible; but I believe it has never been brought to a trial to ascertain whether they would or not.

Under such circumstances, is it very necessary that there should be the strictest controul exercised by the chief over all other persons of his nation trading to China?—I should consider it indispensible for the security of the trade with China.

Can you state to the Committee what are the principal exports from this country to China?—Woollens and metals, I believe, are the sole exports of the Company; what the commanders and officers take are trifling articles, hardware, Prussian blue, skins of various kinds, and various other trifling articles that I do not at present recollect; but metals and woollens are the principal exports from this country.

Have the goodness to state how long woollens have, to any great extent, been exported from this country to China?—I think, to any great extent, the woollens had not been exported from this country before the Commutation Act in 1785; but since that it has been an increasing trade; at times however, subject to check, and the quantities obliged to be reduced.

Will you state whether, in your opinion, the introduction of woollens to a considerable extent in China, has or has not been wholly owing to the exertions of the Company?—Entirely, I should conceive; and unless in the hands of one individual, or in the hands of a great company, it would have been impossible for woollens ever to have found an advantageous sale in China.

Be kind enough to state, what are the difficulties and impediments that the Company have had to encounter, in introducing the sale of woollens into the Chinese empire?—The Chinese are a people very much addicted to their own customs and manners, disliking change extremely; of course every new article experiences considerable difficulty in the sale; the Chinese wearing skins and their own manufactures, which suited them better, generally speaking, before the introduction of woollens; they at first did not purchase the woollens with that avidity which might perhaps have been expected from the superiority of the manufacture; time, however, got the better of this prejudice, the emperor having allowed, at the time of the embassy, the court dresses to be made of cloth, they became, consequently, more general in their wear throughout the empire; still the cost being very considerable, by the inland transport from the southern port of Canton to Pekin, about 12 or 1300 miles, the sale has experienced very great difficulty; the coarser cloths, long ells, of which a very considerable quantity are used in China, are principally for the lower classes; the prices being rather beyond what they can afford, the sales of them have been extremely difficult; they have often remained for one or two years in the warehouses of the Hong merchants totally unsaleable; I think these are the principal difficulties which the Company have experienced in introducing the woollens into China.

Have the goodness to state what has been the nature of the contracts with the Hong merchants, by means of which the Company have forced the sale of woollen in the Chinese empire?—The Company finding it difficult to dispose of their woollens in the open market, as was usual in trade, have found it expedient to make contracts the preceding year for the delivery of the woollens expected in the ensuing; in doing this, they invariably contract with the merchants for a quantity of tea, equivalent to the amount of the woollens, or nearly so; and certainly a considerable advance, perhaps, is allowed to the merchant upon the teas, as an inducement to him to contract for the woollens, by which the Hong merchant was, generally speaking, I believe, for the twenty years I resided in China, nearly commonly, or almost invariably, a loser.

Do you know whether other nations which trade to China have endeavoured to introduce woollens into that country?—They have; the French, the Dutch, and I think the Trieste Company, or the Ostend Company (I believe it was called the Trieste Company), have all, at times, imported woollens into China; and, except the Dutch, I think the whole of them had

given up the trade prior to their exclusion from the port of Canton at the commencement of the French war.

Can you state what is the reason they have given up that attempt to introduce woollens?—I conclude, from its being a losing concern.

Have the goodness to state, what, or whereabouts, is the amount of the import of woollens from this country to China, at this time, by the Company?—I cannot speak positively since I left China, which is six years ago; but, at that time, it was either very nearly, or perhaps exceeding a million sterling.

Have the goodness to state, whether, in your opinion, the confidence the Chinese have in the honour of the Company has not been one great cause of the successful introduction of woollens into that country, I mean their honour and honesty with respect to the quality of the woollens they introduce?—Most undoubtedly; and as a proof of it, the bales of woollens pass throughout the empire unopened or unexamined in any way whatever, when having the Company's mark on them.

Has not the knowledge which private traders have of the confidence of the Chinese in the marks of the Company, induced them in many instances to forge those marks?—I cannot speak positively with respect to individuals; but I think I recollect, that at one stage of the trade, the French Company did attempt it, and introduced a considerable number of bales with the Company's mark upon them; it was discovered, however, and I believe never again repeated.

Do you know, that in the commencement of the woollen trade in China, the Company sustained considerable losses?—As far as I recollect, from the records of the Company, certainly they did, though at times I believe they made considerable profits; particularly, and I believe I may say always, upon camlets; but their losses upon long ells have at times been very considerable, to the amount, I believe, of one, two, and three hundred thousand pounds a year.

Considering these losses of the Company, is it your opinion, that in the hands of private traders that importation into China could possibly have succeeded?—Certainly not; I think it would have been totally impracticable; could those accommodations not have been afforded to the Hong merchants, by taking payment in teas, and by the advance of money at periods when the Hong merchants were in distress, for the purpose of conducting their current business, and for the payment of the imperial duties, which has been the practice of the Company, I firmly believe that the Hong merchants never would have consented to have taken the Company's woollens, nor consequently would they have purchased them of individuals, it being a losing concern.

Be kind enough to state, whether private individuals trading to China, would not have saved to a very large amount, by importing bullion rather than woollens?—Taking woollens generally, I should say yes; camlets and broad-cloths, perhaps, might yield a profit, but certainly long ells, being the principal part of the export of woollens from this country, and by which considerable loss has been sustained; bullion would have been a very considerable saving to individuals trading with China.

In the event of a free trade being opened between this country and China, do not you think that one of the effects would be to establish a monopoly in the hands of the Hong merchants, which would enable them in a great measure, to fix the prices both of the exports and imports?—My opinion on that point is perfectly decided; I consider that a free trade with China would produce one of two effects, either the total loss of the trade from the misconduct of the seamen, or probably of the persons conducting the trade itself, by the exclusion of the English from the port of Canton by the emperor, or that the present advantages derived from that trade would be lost to this country, and thrown into the hands of the Chinese; the body of Hong merchants are already, in point of fact, a monopoly, being appointed by the emperor to the exclusive trade with foreigners; and the mischief that might have been expected to result from such a monopoly has only been prevented by the power and influence of the Company, in supporting or in playing off one merchant against another; this I think could not happen where there were a variety of interests, and no combined or concentrated efforts to keep the Hong merchants in order; that the Hong merchants finding no general or combined opposition would, as they have it in their power, affix prices both to the imports and exports of China; that, consequently, the woollen trade would be lost, as it would no longer yield any profit; that the tea also would either be

deteriorated, or the prices enhanced, so as to give to China the profits which at present are derived by the Company and the country at large.

You have stated, that the monopoly of the Hong merchants has been counteracted by the power and influence of the Company; do you think that the Hong merchants, at present, are willing to submit to great sacrifices to ensure the support and aid of the Company, the question referring to commercial sacrifices?—I should think that they would no longer submit to commercial sacrifices than as it was profitable to themselves; that the trade of the Company affording them a profit, they are at times certainly ready to make sacrifices to the East India Company, and invariably have, I believe, taken off all goods sent to China on experiment by the Company at the prime cost, although probably in the market they would not have sold for one half their value.

Can you state, whether the Americans have not attempted to introduce manufactures into China, when specie has been scarce in America?—I think I recollect, during my residence in China, several instances of American ships importing the woollens of this country; the adventure, however, not turning out to their expectations profitably, it has not, to the best of my knowledge, ever been repeated by the same persons.

Can you state whether woollens are not subject to a very heavy duty in China?—Camlets pay a duty of nearly the prime cost in this country; the duties on broad cloth are considerable, I think; but I do not exactly recollect the proportion of long ells, though I believe the duty is equal to about 12 or 15 per cent.

As the smuggling of woollens into China might be highly advantageous to individuals, do you not think, that in the event of a free trade, it is probable individuals would endeavour to evade the Chinese duties, and smuggle them into that country?—In the article of camlets, I think they would; for until the regulations of the Company were extremely rigid, there was a considerable contraband trade in their own ships of that article; and which at times, from detection, has caused very serious losses to the security merchants of the ship from which they were so smuggled; nearly indeed to the loss of his whole fortune, and even to the risk of his life.

You have stated that officers of the East India Company have heretofore been engaged in the smuggling of woollens; have the goodness to state, whether the general trade to China was endangered by those attempts of the officers of the Company?—In some degree, I think it was; and frequent repetitions of the same practices might, I think, have lost us the trade altogether.

State to the Committee whether, in your opinion, the opening of the trade between this country and China would not be attended with a rise in the price of teas in China?—I think that question is already answered in a former reply, where I mentioned, that the inevitable consequence of the opening of the trade would be the deterioration of the tea, or an enhancement of its price.

Have the goodness to state to the Committee, how it has happened that the mischiefs you apprehend from an open trade have not resulted from the American commerce with China?—The Americans, I think, have reaped the advantages of the East India Company's exclusive trade to China; that by the Company establishing an annual price for teas, of almost every description, those are not often during that season increased by individual purchasers; but in those articles in which the Company do not trade, and which form part of the cargoes of the American ships, the prices are, I believe, nearly double from the commencement of the American trade with China.

Have the goodness to state, whether upon occasions of the rules of trade laid down by the Chinese having been infringed, they have not threatened to exclude the English from that country?—They certainly have been threatened with the anger of the emperor, and an exclusion from the port, if they did not conform to the laws and regulations of it.

Do you think that the opening of the trade between this country and China would, in all probability, be followed by the smuggling of tea into this country to a considerable extent?—I conceive, that certainly the opening of the trade might give greater facilities to the smuggling of teas than at present exist; that the size of the ships would enable them to go into any of the small ports of the kingdom; and moreover, the captains of the Company's ships being liable to dismissal from the service, if going into any port whatsoever before they arrive in the Downs unless by consultation of their officers they can prove an absolute want of anchors and

cables; of course, no opportunities to smuggling are afforded to them prior to their arrival in the Downs, whereas the coasts in both channels would be open to the ships of free trade.

The tonnage allotted to the captains and officers of the East India Company is very small compared with the whole importation from China; is it not?—I believe the allowances to captains and officers of the ships are nearly a hundred tons in each ship; the proportion, of course, will depend upon the size of the ship.

With the exception of the tonnage allowed to the captain and officers, do you not consider the cargoes from China, under the present system, as entirely secured against smuggling?—I should think that would scarcely require an answer; the Company are so much beyond every charge of being engaged in any practice of that kind, it is hardly necessary to answer that question; certainly, I conceive it is perfectly secure.

Do not you consider that the fear of being dismissed from the Company's service, is a considerable check upon smuggling, even with respect to that part of the tonnage which belongs to the captains and officers of the Company?—I certainly think it is.

Do not you consider, that in the event of a free trade, the increase of the number of ships, as well as the diminution of their size, would increase the danger and facilitate the operations of smuggling?—I think my former answer went to that effect; that it certainly would.

State to the Committee, whether teas may not be procured at Manilla, and in many of the eastern islands, as cheap as in China, and with the same facility?—Certainly; frequently cheaper.

The duty upon tea in this country being 95 per cent. do you not think, that if private traders were suffered to go among the eastern islands, it is probable they might be induced to purchase teas with a view to smuggling them into this country?—I think that is very probable.

Having already stated, that you thought in the event of a free trade, our commerce with China might be endangered by the misbehaviour of the seamen and crews of the ships; state to the Committee, whether the Chinese laws respecting homicide are not extremely severe, and what those laws are?—I believe sir George Staunton could have answered that question better than myself; in fact, the laws are extremely severe, and I believe, in one instance alone excepted (which has occurred since I left the country), blood for blood has been invariably required.

Have the goodness to state, whether blood for blood is not required in cases where the murderer cannot be discovered?—It has generally been supposed so; but I should conceive that the Chinese are too just to demand it, if they were satisfied that the murderer could not be discovered; although it might be difficult, certainly, to satisfy them upon that head.

Has not the trade with China been endangered from the misconduct of the seamen in the Company's service, notwithstanding the unremitted exertion of the great power entrusted to the Company's servants to keep them in order?—Very frequently; and scarcely a year passed during my residence in China, in which the supracargoes were not apprehensive of being embroiled in disputes with the Chinese government, in consequence of the riotous behaviour and misconduct of the seamen of our ships.

If private ships were permitted to go from this country to China, without the strong controuling power of the Company, do you think it would be possible to prevent such crimes being committed, through the irregularities of the British sailors, as would endanger and interrupt the trade between this country and China?—I think it would be extremely difficult, though the appointment of a consul might, in some measure, remove those difficulties, by his having a controuling power over all British seamen in the port.

Do you think that any controuling power which could be granted to a consul at Canton would be equally effectual with the power at present exercised by the Company, either for the protection of British subjects trading to that country, or restraining them from misconduct?—A consul, not possessing the commercial influence which is possessed by the supracargoes of the East India Company, I think, in his negociations with the Chinese government, which are invariably carried on through the merchants, he would not have the same advantages as are at present possessed by the supracargoes.

Do you think that there is any difference between British and American seamen, as to their conduct in the ports of China, and as to the apprehensions that

may be entertained of irregularities that may be committed by them?—I think my observation went, during my residence in China, to satisfy myself that the American seamen were, generally, more orderly than the seamen of our own ships; which I certainly ascribe to the profits of the American trade being very considerable, enabling the proprietors of their ships to give a much higher pay than is customary in ships from this country; and not unfrequently, I believe, the seamen have been concerned to a small extent in the adventure; this, however, may vary in the event of a war with America, as at present happens, when her navy would acquire, and probably obtain her picked seamen, and her merchant vessels would then be compelled to have recourse to men of worse character, as I believe to be the case with respect to our own ships at the present moment, the owners of our own ships being frequently obliged to take men from gaols, and desperate characters of every description, for the purpose of manning their ships on leaving this country.

Have the goodness to state to the committee what, in your opinion, has been the cause that the China trade has been so lucrative to the Americans?—I should consider, that the advantages, which they may have derived from that trade, have been very much owing to their being enabled to carry it on with bullion.

Has not the circumstance of the wars in Europe, likewise, contributed extremely to enhance their profits, on account of their facilities in supplying the Continent?—For several years prior to my leaving China, the Americans were in the habit of having three or four ships annually destined to the ports of Europe, for the supply, I presume, of the Dutch, and of all the north of Europe; and of which, at the restoration of peace, or at present, in consequence of the war with Great Britain, they will certainly be deprived.

If private ships from this country were permitted to go without restraint to the eastern islands, do you apprehend atrocities might be committed by private adventurers in those extensive seas, where there are no European settlements, that might injure the natives and affect the British character?—I think it not improbable that it might be so, from the variety of characters which certainly would engage in a trade of that nature.

Have any instances of such atrocities, committed in other parts of the world, come to your knowledge, as to have led you to form the opinion you have stated in your last answer?—Reports, certainly, have been circulated in China, at different times, of the misconduct of some of our smaller vessels trading in the skin trade to the north west coast of America, of the truth of which, however, I can bring no positive proof, although, I believe, that at the time I had reason to suppose they were not altogether groundless.

From your knowledge of the China trade and the Chinese character, are you of opinion that the present system, under which it is carried on, is the most advantageous and safe for this country?—I conceive, that any person acquainted with China cannot have a doubt of its being more advantageous to Great Britain that it should be continued on its present system.

(Examined by the Committee.)

Have you any acquaintance with the nature of the trade that has been carried on between the north-west coast of America and China?—I think I have.

Are you of opinion that an advantageous traffic could be carried on circuitously from this country, taking the north west coast of America, in the first instance, and thence prosecuting the adventure to China or India?—I believe that various speculations have been entered into from this country to the north west coast of America, and which have ended either in China or India, and seldom, I believe, to the advantage of those concerned; and I know of no instance where it has been repeated a second time by the same person or persons.

Was not that experiment made by a Mr. Cox, who had been long resident in China, and must have been intimately acquainted with the most advantageous mode of carrying it on?—I should have said in my former answer, that there was also a direct trade from China to the north west coast of America, and which, I believe, was carried on for several years in the infancy of the trade, and was then, I believe, profitable; Mr. Cox certainly went from this country or from Sweden, in a vessel under Swedish colours, to the north west coast of America, and was, I believe, perfectly acquainted with that trade, but I do not believe that he persevered in it, or those with whom he was concerned; he died shortly after his arrival in China; I do not believe that that trade was conti-

nued by his partners, or by those concerned with him.—Mr. Cox was long a resident in China: he was ordered home, not being permitted to remain there; he then found it necessary to obtain a foreign protection, to enable him to reside in that country, and went out to China by the north west coast of America.

May not tea be obtained from other ports of China, through Chinese junks, at inferior charges to those paid at Canton?—I think they might, as not being subject to the same export duty by the Chinese junks, to which they are when laden on foreign or European ships.

Do you know the average quantity of British tin imported by the Company into China?—I believe it has been about 300 tons, but I cannot charge my memory to state the exact quantity.

Do you know the average quantity of copper?—I think copper for several years has not been imported by the Company; copper made into small sticks to imitate the Japan copper, was for a time imported into China, and I do not exactly recollect when it was given up, but I believe it has been discontinued for some years.

Do you know whether tin is not brought from Banca to China, by Chinese junks and other conveyances?—We had very imperfect means in China of ascertaining the importations by the Chinese junks, for they belong to a variety of ports in the empire, and they are under a different department of the customs from what the foreign trade is, and therefore, we have never been able to obtain any correct statement of their imports or exports; with respect to the importation by British or other ships, I believe, for several years, it has been very trifling, but I cannot say to what extent.

MUNGO DICK, esq. was called in, and examined:

Mr. *Grant*.]—Were you not many years a civil servant to the East India Company, at Madras?—I was; I resided for four years upon my first arrival in India at the presidency of Madras; afterwards for about 20 years in the Northern circars.—For many years I was an assistant in the commercial department, and afterwards a commercial resident.—I was for about ten years a member of the board of trade at Madras, and superintended the investments generally; my actual residence in India was 35 years.—I went out in the year 1790, with a specific appointment as member of the board of trade, and general superintendent of investment.

Had you not ample opportunities of gaining a knowledge of the commercial concerns of the Company under the Madras presidency?—I certainly had ample opportunities; whether I exactly profited by them I cannot presume to say.

Is there not a large quantity of piece goods provided in the Northern circars for the investment of the Company?—A very large one; the principal part of the Madras investment is provided in the Northern circars.

Give a summary description of the mode in which the investment is ordinarily provided on the coast of Coromandel?—The investment originates in an order from this country from the court of directors generally, specifying the quantity of goods required from each of the commercial factories, accompanied by the observations of buyers in this country upon the goods imported in the preceding year; this indent, after being reviewed by government is transmitted to the board of trade, a board composed of some of the Company's civil servants, who have usually served for a considerable time in the commercial department: this board makes a calculation of the sums required for the provision of the goods allotted to each factory. The commercial factories on the coast are 11 in number, where goods of a peculiar description, are provided, some of one kind at one factory, and another kind at another. an indent in conformity to the orders of the court of directors is forwarded to each factory: when I left India, about four years ago, it was estimated, that all the factories were capable of producing goods to the amount of 24 lacks of pagodas, or a million sterling; the demand has been from five lacks to 24 lacks, in conformity to the sales in this country, whether a greater or a lesser demand. The order to a factory is accompanied with a credit on the revenue treasuries in its neighbourhood, to the extent of the indent, to be paid by instalments. The mode of providing the investment at the different factories varies; at some it is by native agency: where the weavers are not in the vicinity of the factory, the native agents are required to perform the business, who receive a certain per centage, I believe five per cent. which covers the expense of conveying the money to the different stations, bringing the goods in, and their risk of bad debts; the native agent, for that sum,

will undertake to save the Company from all risk. At others stations again, where the manufacturers are more within reach, advances are made immediately to the manufacturing weavers: and it is not unusual for perhaps a village, where a hundred weavers are collected, to become security for each for the performance of their engagements: the goods advanced to them in the first instance, is generally about a quarter, not more than a quarter, sometimes less than the amount of the whole sum of the quantity of goods required; this advance is retained in the hands of the weaver, until his engagement is completed, that is to say, until three-fourths of the quantity are delivered; he is paid for every piece he brings in, in the intermediate period, keeping the original advance in his hands till three-fourths are delivered; the original advance is then worked up; the goods are contracted for upon certain samples, or musters, as we generally call them; there is a standard price, which seldom varies, for goods of the first quality; and upon delivery and inspection, when the piece or pieces are found not exactly equal to the standard muster, they are reduced to a lower number, with the difference of 5 per cent. between each number, that is to say, 5 per cent. is given less for No. 2 than No. 1. There are four numbers, and in the coarser assortments we have a class called rejected goods, which are generally 15 and 20 per cent. cheaper than No. 4. The rejected goods are under three different heads; rejected from deficiency in length, rejected from deficiency in breadth, and rejected from a great inferiority in quality. By taking in the rejected goods, it has been found latterly it relieves the weaver from the necessity of going about the country to sell goods which are of inferior quality, and these coming to this country under the head of rejected goods, the buyer knows what he is doing, and finds it as much worth his while to buy such goods, being at an inferior price, as those of a standard quality. The goods, after being received at the factory, are generally bleached at the station where they are manufactured; they are consigned to the presidency as opportunities occur, where they undergo an examination by the board of trade, and every tenth bale is examined piece by piece, and the observation upon the bale is transmitted, without loss of time, to the different factories where they were manufactured, in order to correct any defect that may appear upon this second examination; and as a check upon the commercial resident, the commercial resident is allowed a per centage upon the provision of his goods, consequently, he has no interest in lowering the price, but the contrary, the higher the price is, the more the per centage: he has no interest in making a hard bargain with the manufacturer, because the more money he invests, the greater is his gain; and in my experience, I have never found a difficulty in prevailing upon the weavers to receive the Company's money; the difficulties have always occurred at the settlement of the account.

Are the weavers compelled to enter into engagements with the Company?—On the contrary, it is considered the greatest grievance that can occur to the country, the secession of the Company's investment; it diffuses happiness throughout the country, as promoting the circulation of money, which they could not otherwise obtain; the thread is generally spun by the females of the cultivating cast of inhabitants, and consequently it circulates very widely throughout the country the money advanced on account of the investment.

Will you say whether the Madras government has enacted regulations of a nature to protect the weavers against any oppression on the part of the commercial resident or his assistants?—The Madras government have enacted regulations of the most liberal kind, extremely well calculated to protect the weavers against the possibility of oppression, were they not capable of protecting themselves.

Were the weavers to suffer any oppression from the commercial resident or his assistants or agents, by any act either directly at variance with the letter of the regulations in question, or inconsistent with their spirit, can you say whether complaints would probably be preferred by the sufferers to the government?—I have no doubt they would; but I speak more from opinion than actual observation, because those regulations are of so recent a date, that I have hardly experienced their operation, it is only within these few years; indeed they were hardly promulgated when I left Madras.

Comparing the situation of the labouring weavers with that of the other labouring classes of the Indian population, which, if either, has the advantage in point of comfort?—The weaver has the means of being

more comfortable, but he has generally a very dissipated turn of mind, and squanders away with very little consideration his gains; they are very much addicted to gaming, and cock-fighting, particularly, is a very favourite amusement, upon which they stake almost every thing belonging to them.

Do you conceive that these habits of dissipation arise from any defect in the existing commercial system of the Company?—They are habits of very old date; they do not arise out of any particular system; the business of the Company has added very much to their comfort if they would avail themselves of it.

You have stated in a former answer, that the weaving classes in India have the means of living more comfortably than the other labouring classes of that country; what, in point of comfort, is the general state of the Indian peasantry, as compared with the situation of the peasantry in European countries?—From my observation, they are more comfortable in every respect; their wants are fewer, and they have the means of gratifying those wants much more within their reach.—Labour is cheap, and so are also their rice and provisions of every description in proportion.

Do the wages of labour which the Indian people receive, fully supply their wants?—Fully; the wages vary very much in different parts of the country; for instance, at the presidency, where labour is dear, provisions are also dearer than in the interior; the one seems to regulate the other in all parts of the country I have been in.

During your experience, have you observed whether any change either in the way of improvement or otherwise, has taken place in the condition of that part of the native population who are employed by the Company?—I think, generally, their situation has improved; but speaking particularly of the manufacturers, it is impossible to a great degree to improve their situation; for instance, a weaver after getting his advance, resorts to the weekly markets all over the country to procure materials for his web, and after having procured what he thinks will be requisite for the piece of cloth in his loom, he too often expends what may remain in a cock-fight, or any other gambling game that is to be found in the market.

Can you state whether there are any native merchants at Madras, or in the Northern Circars, who would be able to provide for private traders such an investment as the Company procure?—Private traders would find in every village, agents perfectly prepared to receive their money at all times; but I think the private agent would generally be disappointed in his expectation of goods of standard quality; when they were delivered he would find them very inferior to what he expected; it is the study of the commercial servants, and their only labour almost, to prevent and to counteract the abuses of the native agents when they are employed as well as the manufacturers.

What is the nature of the abuses to which you allude?—The nature of the abuses is furnishing goods of a quality very inferior to the standard on which the contract was made.

Do you mean to imply that the manufacturers would seek an unfair advantage in dealing with private traders?—Certainly, they would take every opportunity of imposing upon the uninformed.

Are such piece-goods as the Company import, to be purchased in India ready made, or without previous arrangement?—It frequently occurs that the private agent tempts a weaver to sell from his loom at an increased price, the goods that he has previously manufactured with the Company's money, and by their order a previous advance is uniformly required; unless the private agent can find his way into the manufacturing villages, and obtain there goods by giving an advance of price, it is impossible to provide an investment to any extent.

Can you state whether in the intervals of regular employment in the business of weaving, the weavers betake themselves to other means of providing themselves with subsistence?—Certainly they have other means of subsistence; they sometimes turn cultivators, and the manufacture of cloths, for the use of the inhabitants, gives them employment to a certain extent, so far the population benefits, and they can provide those cloths much cheaper; the Company's investment tends to increase the price of labour and the rate of every thing of which a piece of cloth is composed.

Can you state whether the weavers in India form a distinct class or cast?—Certainly no man becomes a weaver who is not born a weaver, whose father was not a weaver before him. There are two classes of weavers, they are perfectly distinct from the other classes of inhabitants, as

much so as the Brahmin and the Sooder.

Does it ever happen, that persons not born weavers betake themselves to the employment of weaving?—It very rarely happens; in all my experience I never knew an instance of it.

Were the commercial system of the Company entirely superseded, would you consider such an event as advantageous to the weaving classes of India?—I think it would be ruinous to the weaving classes.

(Examined by the Committee.)

Are all persons born weavers employed as such?—If they can find employment as weavers, certainly they would go to no other trade; they are sometimes from necessity obliged to take to labour in the field; but a person born a weaver will naturally become a weaver if he can find employment.

Is there not a very large proportion of the persons so born weavers employed in agricultural pursuits?—I hardly know an instance of a weaver taking to any other employment, except from positive necessity, from a stoppage of the Company's investment, or from some other cause.

Have not the Company's investments of piece-goods from Madras at times been suspended?—Yes, in my time frequently; during a former war there was no investment, I think from 1780 until 1787; for seven or eight years there was no investment at all, and very great distress was the consequence.—There have been several occasions in which they were suspended, but I cannot exactly remember dates; but during the war with Hyder Ally particularly.—The last war, when the capture of Seringapatam took place, was of so short duration, that the investment was very soon renewed: the investment has been suspended at various times during my residence in India; the records of the Company would best shew the periods.

Was any difficulty found in reviving the investment, when the Madras government were disposed so to do?—Certainly, great difficulties were experienced at the outset, but those in the course of time were removed; the weavers for a time being unaccustomed to make goods of standard quality, were less attentive to their business than when the investment was uniformly provided; the commercial servants having less experience, were less calculated to check the abuses that creep into the provision of an investment.

What is the state of the pecuniary circumstances of the weavers, generally, under the Madras presidency?—As comfortable as their dissipated habits will admit.

What may they earn monthly each?—The investment is provided from Cape Comorin to Ganjam, a distance, I believe, of 1,500 miles, where the price of labour varies so much from the price of provisions being higher or lower, that it is impossible to say, distinctly, what a weaver earns monthly; but from my own observations I can state, that a weaver is more comfortable in his circumstances than the other classes of the inhabitants of the same level.

Cannot you form an opinion of the probable amount earned by the weavers generally?—No, I cannot; but I am persuaded that it is equal to a comfortable subsistence; the price of labour in different places varies so much, I cannot speak to the sum; but it is their own fault if they are in want when the Company's investment is on foot.

What is the penalty attached to a breach of contract with the Company, on the part of the weavers?—The penalty attached is the reduction of price; if he delivers his goods agreeable to the sample he gets a higher price, if they are inferior of course he gets less; but it is impossible that a weaver can work to a positive loss, as he has seldom any property of his own, and depends almost entirely upon the advances that are made to him.

Then is the Committee to understand that the weavers have the means of a comfortable sobsistence for themselves and families only, and nothing beyond that?—They will not suffer themselves to have much beyond that, for it is generally dissipated in various ways; any thing that they get beyond their subsistence is lost in cock-fighting or in some other gambling game.

Is it usual to place peons over the weavers to quicken their deliveries of goods?—I believe that is admitted by the Regulations, but very seldom practised; because it would be unavailing, it would be taking from the weaver the money given to him; for a peon never goes to the house of a native without a commission at the same time to exact a sum equal to the expenditure for his daily food, commonly called batta.

What is the usual sum so exacted per diem?—It is impossible to say, because it varies; in different parts of the country it

is equal perhaps to a seer of rice, and that varies in price so much; it is a halfpenny in one place, a penny in another, and threepence in another, perhaps.

Can you inform the Committee of the nature of the spinning business in those countries where so many piece-goods are made, how the thread is prepared?—The thread is prepared, generally, by the female population at large, by the poorer classes of females, by the purchase of cotton at their weekly markets, and selling the produce of the labour of the week at the succeeding market; this is done in so simple a stile, and with so much attention to economy, that the weaver, perfectly well acquainted with the price of the raw material, seldom affords to the spinner more than he thinks a just return for the labour of the week; and that matter is so well understood among the weavers, generally, that no weaver, for the sake of getting a larger quantity of thread, will outbid his neighbour in the purchase of it; but the business of spinning circulates the money advanced for investment, throughout the country, amongst the description of people most in need of it, the females of the families of cultivators, the lower classes of inhabitants; it is a great resource.

Have not the females of decayed families, who have little means of employing themselves from the secluded nature of their lives, recourse likewise to this mode of assisting themselves?—They certainly have, and it is the great means of giving subsistence to the lowest classes of inhabitants, and they perhaps suffer more than the weaver in the times of suspension of the investment; I consider the provision of the Company's investment to be a blessing very generally diffused through the country, and depriving them of it, would be depriving them almost of the means of living in certain seasons.

Do you not conceive this species of manufacture, the spinning, not only to extend very generally through those countries, but to employ a very great number of the females of the country?—Very great; speaking of the part of the country where I have long been, almost every female of the lower classes earns more or less in the course of a week by spinning.

What should you think of a system that should introduce machinery, so as to preclude the labour of that class of persons?—I think it would be very severely felt; in all the parts of India where I have resided, I do not think it could be introduced to advantage, so simple is the business of spinning, and so small their expences of living; but it would be most severely felt if it could be introduced: the season of cultivation only extends to a certain number of months in the year; there are other times when many of the inhabitants have no means of subsistence but by spinning.

Do you conceive, that if this resource failed them, there is any other branch of industry in that country to which those females could turn themselves?—I think it would be more difficult in India than any other country in the world, to turn to any profession to which they have not been brought up; and the employments are fewer; I do not know of any whatever to which they could turn themselves.

Then you conceive that the discontinuance of the cloth manufacture of those countries, manufactures which have existed through so many ages, would be of essential prejudice to the poorer classes of inhabitants in general?—The discontinuance would certainly be of essential prejudice; and any other system of provision that would enhance the price of the goods would certainly be the means of that evil which is so much to be dreaded; if the price was enhanced, they would be no longer saleable in this country; it is only by their being provided so cheaply, that they are saleable here.

If it should be found possible to introduce yarn thread spun from any other country into those parts, what would you suppose to be the effect upon the poorer part of the population, both male and female?—What I have already mentioned; and I think it would be the duty of government to prohibit the importation of thread into that country, were it possible.

Are you acquainted with the mode of raising and preparing the cotton for the manufacture?—Not sufficiently to give any distinct account of it; in the Northern Circars, the principal part of the cotton consumed in the investment is raised in the country: we frequently get supplies from the interior by a class of people called Monjaries, who bring cotton from the interior and take their returns in salt; but the cotton raised in the country is generally preferred, by the cotton being more pure and suiting their manufacture better; it is a very precarious crop.

Do you understand in what manner the cotton is cleaned and prepared?—It is by a very simple process; it is cleaned by the hand; there are two processes, the

first process is to separate it from the seed by three cylinders that go different ways; the cotton with the seed is introduced between these cylinders, moving closely together, by which means the cotton is drawn out and the seed is left behind it; that is a sort of hand-mill which every person has in his house; and the second process is a sort of bow, something like what the hatters use in this country for preparing the wool for making hats, that strikes against the cotton and separates all the dust and seeds that may remain after it has undergone the process of the wheel.

Is the raising of cotton in that country pretty general?—Every cultivator allots some spots of ground to the cultivation of cotton, but as it is a precarious crop, he prefers some others; it is productive when the season is good, but a little too much or too little rain destroys it.

Who are the persons employed in cleaning the cotton?—The first process is done by every person who spins; the second process by the bow is done by a particular class of persons; it is very remarkable in a country where there are so many species of Hindoos, that it is by a species of Mussulmen, he is not a Mussulman but approaches nearly to them; there are one or two such persons in every village; he performs two duties, cleaning cotton and making thread that the threads pass through in the weaving.

If by introducing ready made thread into the country, all the spinners now employed in that branch should be deprived of that employment, could their labour be turned in any way to the raising or cleaning of the article of cotton, so as to provide subsistence for them?—I think not; for there are many females that could not quit their own house; in their secluded habits, they would not resort to a large place, to which all descriptions of persons had access; it would be hurtful to their feelings, and inconsistent with their habits, to expose themselves so much to public view.

Mr. Edward Venn was called in, and examined.

Mr. *Jackson*.]—You are a tea broker?—Yes, I have been such upwards of 30 years.

Is it within your knowledge, that at Canton the Company's supracargoes have the first choice of the teas?—I have always understood so, and it is so understood among the tea buyers.

To whom is it understood that the teas not so chosen by the supracargoes are afterwards disposed of?—Of late years to the Americans.

When teas are imported, how are their qualities here ascertained, if any be damaged?—If discovered previous to their being on public show for the inspection of the brokers to be so, they are pointed out to us by the Company's servants when they come on show, and then we examine them more minutely.

State about the degree of their variations, taking the leading sorts?—Bohea tea is the lowest, from 1*s.* 6*d.* to 2*s.* 6*d.*; and Congou tea from 2*s.* 6*d.* to 3*s.* 10*d.*; Souchong tea from 3*s.* up to 5*s.* 6*d.*; Campoi tea from 3*s.* to 3*s.* 10*d.*; Souchong tea from 3*s.* 7*d.* to 5*s.* 6*d.*; and Pekoe tea from 5*s.* to 5*s.* 9*d.*; those prices vary probably at each sale in a small degree. As to green teas, Singlo from 3*s.* 3*d.* to 3*s.* 8*d.*; Twankay the same; Hyson skin from 3*s.* 3*d.* to 4*s.* 3*d.*; Hyson tea from 4*s.* 6*d.* to 6*s.*; Gunpowder from about 5*s.* to 7*s.* The duty at present upon tea is what is called an *ad valorem* duty. From 95 to 96; 95 the excise duty, with the custom nearly 96.

Looking to those various sorts you have described, with the various nice distinctions and subdivisions of each sort, do you think that that *ad valorem* duty could be exchanged for a rated duty according to those various sorts?—I should think not.

Could any person, do you think, not so practised as you have described it necessary to be, in order to ascertain those various distinctions, be capable of making them sufficiently for the purpose of rated duties?—Certainly not.

Would, in your opinion, an attempt to fix rated duties upon so many various qualities lead to a very considerable and almost endless degree of detail?—I should think so. At present the whole of the Company's teas are sold at public sale; even presents are put up to sale, in order to ascertain the duty.

Supposing that an attempt were made, to collect the duties upon the various sorts and distinctions, and shades of distinctions you have described, by a rated duty, could it be done otherwise than by a personal examination of every sort, and of every parcel?—I should think not.

During your long experience, have you reason to believe or to suspect, any other description of sale ever to have taken place at the Company's sales, than

actual and *bonâ fide* sales?—No; there cannot possibly be a fairer mode of sale than that adopted at the East-India House; the goods previous to the sale are shewn in the most fair manner possible, and with very great order and regularity, for the inspection of the buyers: nothing can be done, I think, with more precision than it is conducted.

Is it not the rule of the Company to put up their teas at the prime cost of the article including such charges as are enumerated in the act of parliament?—I have always understood so.

That you would call then the upset-price?—Yes.

Do you know upon what degree of advance upon that price the Company make it a rule to sell?—The advance of a farthing a pound upon teas under 3*s.* 4*d.* and a half penny advance upon all teas that sell above that price.

Whatever may be the law in point of practice, if one farthing be bid above the prime cost, and below the price you have stated, they sell?—Yes.

Is it Congou or other tea that the Americans have been in the habit of buying?—I should rather suppose green tea, for such tea is used in America; because if any exportation takes place from this country to Canada, it is principally of green tea, but I should suppose the Americans have bought more black tea than green tea, as they have supplied the continent with black tea; and in Holland, Denmark, and Sweden, and those parts they have usually, I believe, drank more black tea than green; and as they purchased, I should imagine, with a view to supply those parts, I should suppose they purchased a greater quantity of black tea than green.

Mr. Thomas Styan was called in, and examined:

Mr. *Jackson.*]—You are a tea broker?—I am; and have been upwards of 30 years.

Is it the understanding of your profession, or within your knowledge, that the Company's supracargoes have the offer of all the best teas at Canton?—We have always understood they have an offer of the teas at Canton in preference to any other country.

To whom have you understood such teas as they have refused are sold?—I suppose to those of other countries who have gone to China for teas, to the Americans and to the Swedes or Danes, when they used to go there; I do not know myself.

The Danes and Swedes have ceased to be buyers for a considerable time, have they not?—The Danes four or five years, and the Swedes before that.

Your two chief classes are black and green?—Yes, they are. The black comprizes five different sorts, namely, Bohea, Congou, Campoi, Souchong, and Pekoe. The green comprizes Singlo, Twankay, Hyson skin, Hyson, Young Hyson, and Gunpowder. Each of these sorts is again subdivided into nine or ten different qualities, such as good, middling, ordinary, good, middling, flaggy, woody, dusty?—We have other descriptions, such as very ordinary; ordinary; good ordinary.

How are those distinctions determined on?—They are determined by our examination of them; first, the examination in the warehouses, then we take an average sample from the different parcels, which we try being made into tea, and we give the character of them from the observation, taking together the inspection and the tasting afterwards.

Does it require long experience and great attention to attain to a degree of judgment sufficient for the purpose of making such distinctions?—Yes, it does; we make them by the examination of them in the warehouses; they are laid open for inspection before the sales; we make our remarks upon them there, and we take a sample home.

What are your modes of examination to attain to such various and nice distinctions as you have described?—The samples are drawn by some of the Company's labourers, and are brought to us upon a tray, we look at them and smell them, after which we take a sample home, and examine them by the colours and the appearance of them again, when we assort them together, and by the flavours they possess when they are made into tea.

Looking to the various sorts, divisions, and subdivisions, the various shades and distinctions of quality as well as the gradations of prices, should you think it possible to change the mode of collecting the duty as an *ad valorem* duty to a rated duty upon all those various sorts and kinds, consistently with commercial convenience or precision as to value?—It would be impossible to make the duty bear equally, considering the value of the teas, in any other way than their being put up to public sale at the India House, or some other

place, and inspected by the brokers, or people that have been long in the habit of dealing in the article.

Have you ever known the Company offer tea for sale, by a description to which it did not fairly belong, for the purpose of enhancing the price?—Never.

Have you ever known, in any instance, or have you any reason to suspect a single sale of their's being other than real and *bonâ fide*?—It has all been fairly sold; I never knew any thing taken in, or attempted to be run up in price there.

Is it the impression in your trade, that their sales are conducted consistently with every attention to integrity and honour?—Nothing can be more so than they are, I am sure.

John Bainbridge, esq. was called in, and examined.

Mr. *Impey.*]—You are a general merchant?—I am.

You are connected with a firm, that carry on merchandize to a very considerable extent?—I am.

From your connections with the Americans, have you had frequent opportunities of obtaining information from them relative to their trade with India, and the cause of its success?—We have had frequent opportunities of learning, from various persons connected with America, the usual mode in which they have conducted that trade.

To what causes do you attribute the success the Americans have had, in carrying on their trade with India and China?—After the treaty known by the name of Mr. Jay's treaty, I believe the Americans very generally entered into the trade with India. I do not recollect that, previous to that time, their trade with India was of such magnitude as subsequent to the year 1793 or 1794; subsequent to the year 1794 or 1795, I believe their trade to India has increased regularly, particularly during the times they had an opportunity of extending their commerce, as well to the Spanish and French colonies, as to that part of the continent of Europe to which this country was principally prevented enjoying a trade.

From the information you have been able to acquire upon these subjects, in conversations with Americans, do you imagine the success of their trade above alluded to has been owing to their neutral character?—Certainly; they were in a situation to avail themselves of the carrying trade to different parts of the world, from which all British connection was excluded; I conceive that they certainly did enjoy that, to a very considerable extent, subsequent to the year 1795.

Is it one of the advantages they have derived from their neutral character, that they have been enabled to trade at inferior rates of freight and insurance?—Certainly; I have understood that they send their ships to India at a much less expence than the East India Company could possibly send; and that they import their goods from thence, at a much easier rate than we receive them in this country.

Do you mean that that was owing to the circumstance of their being neutrals while we were belligerents?—They certainly have the means of fitting their vessels, from their peculiar situation, at an easier expence; they have provisions and every thing necessary for the equipping their vessels, at a very cheap rate; their insurance is also very reasonable.

Has their freight also, from the same causes, been much below the rates of our freight?—Yes; I have understood from persons that I have conversed with, that their general rate of freight has been from forty to sixty dollars per ton, according to the arrangements made among the parties themselves, who were shippers from ten to twelve pounds per ton; and their shipments are generally made from America in companies: a variety of persons will join, and put in a certain sum, perhaps 10,000 or 20,000 dollars each: the shipments are generally made in specie from America, and ginseng.

Are the Committee to understand it to be your opinion, that their success has been greatly owing to the carrying trade, which if they had not engaged in, it would have been impossible for the merchants of this nation as a belligerent nation, to engage in?—I certainly think it was quite impossible for the subjects of this country, as a belligerent, to carry upon the same terms as the Americans: under the circumstances I have stated, they are enabled, by means of their neutral character, both to fit out their ships and to insure, at a less expence than British subjects could have done, whilst the country was in a state of war.

Do you think that it is probable, that if this country had been at peace during the period of the last 19 or 20 years instead of being at war, the Americans could have derived as great a profit as they ac-

tually have from their trade in India?—I should have presumed they would not have had the same means of disposing of the articles they brought from India, except as far as respected their own internal consumption, because if this country had been at peace, the same sources would not have been opened to the Americans as have been from the circumstance of our being in a state of warfare.

You have stated that, in your opinion, part of the success of the Americans has been from their supplying the Spanish colonies in America; do you think that has arisen from the differences between Spain and her colonies?—As well previous to as during the period we were at war with Spain, a very considerable trade has always been carried on between America and the Spanish colonies; indeed it always will be necessarily so, because they have the means of supplying the Spanish colonies with those articles which they absolutely want from their situation; consequently they introduced a variety of articles which, in a time of peace, would not have been permitted to be introduced into the Spanish colonies: I understand they have made considerable shipments of Indian produce to the Spanish colonies during the war, and for which they received their return as they do for provisions; I understand almost always in specie or in produce.

Is it your opinion that, in consequence of the differences between Spain and her colonies, the commercial intercourse between America and the Spanish colonies has been increased?—Yes, I should apprehend it has, very considerably.

State how the circumstance of their obtaining bullion in the Spanish colonies in return for provisions is of importance to them in carrying on the Indian trade?—It certainly is of importance, inasmuch as they are enabled to make shipments of specie from America to the East Indies, being an article necessary to get their return cargoes from India and from China.

Have you any reason to believe that one of the causes of the success of the Americans in the East India trade, has been a clandestine trade with our West Indian colonies?—I think there is a very considerable trade, a natural and legitimate trade, between India and America, for their own consumption: I conceive so very particularly from the house, in which I have been engaged both previous to my being in partnership and in the early part of the period of my being in the house in which I was brought up, having made very considerable exports of East India piece-goods to America, from perhaps fifty to one hundred thousand pounds a year; but from the year 1794 or 1795, although our correspondents have constantly continued, our exports have gradually diminished, and have now become nothing at all in respect of the article of India piece-goods; I therefore consider that they have a regular and legitimate trade in piece-goods for their own consumption, as well as their introducing, perhaps clandestinely into our colonies, an inconsiderable part of the goods they may import; but I should presume they import principally for their own consumption; I should think full two-thirds of their import must be for their own consumption, from every information I have upon the subject, particularly low calicoes.

From the information you have upon the subject, do you think they likewise clandestinely supply our West India islands with piece goods in some degree?—I think they may supply, to a certain extent, articles of that description; because they are in the habit of taking to our West India islands, or have been till lately, regular supplies of flour and provisions, which they are necessarily in want of: and I have understood they have occasionally made shipments of East India articles into our colonies, as well as introduced them into the back parts of Canada from the state of New York.

What are the returns they get in our West India colonies?—They bring, to a certain extent, sugar and coffee from the West India colonies, in return for the supplies they send there. I should think not a great deal of bullion.

In your opinion if the *ad valorem* duty upon piece-goods were ascertained in London, as at present by the sale prices at the India House, and at the out-ports by the declaration of the dealers, do you not think very great injury would be sustained both by the Company and the London dealers?—I think there would be very great difficulty in equalizing the duties when taken in the usual way by a declaration of value, and presuming that the duties in London are to be levied as they are now levied by the sales of the East India Company; for I take it for granted the importation to London will still be continued by the Company to a

certain extent, and the goods sold at their regular sales in London upon which the duty will be levied.

Do you think, that if the duties were ascertained in London as at present, and at the out-ports by the declarations of the parties, the duty levied at the out-ports would be proportionably considerably less than that which would be levied in London?—I think, from the variety of articles that come from India, that there certainly would be a very considerable difference between the duties levied by a declaration, and those produced at the Company's sales. It very frequently happens, that at the sales of the Company in London, the value of the article is very much enhanced or depressed by the state of the market, and if there was a considerable demand in London, the article might pay a much heavier duty than it would otherwise pay at the out-port where no such demand existed; consequently the duty would be very improperly levied, the articles being precisely the same.

Are you of opinion that, under the circumstances of levying the duties stated in the former questions, the out-ports would have a very unfair advantage over the London market?—I certainly think they would have an advantage over the London market.

Do you know, from having attended at the East India sales, that it frequently happens that goods, apparently of the same quality, are sold at the same sales at very different prices?—It does frequently happen in the course of a sale of several days that the goods will vary from two to five per cent. and sometimes even more than that; from any extraordinary demand or occurrence which takes place, even higher than that in particular articles sometimes.

Supposing the trade in piece-goods to be dispersed over many parts of the kingdom, instead of being confined as at present to the sale rooms of the East India Company, do you think that would have any effect in deterring foreign merchants from coming to this country for the purposes of buying piece goods?—I think it would not altogether deter foreign merchants from coming to this country, because if they can get the article in a better manner than they could in any other place, they would resort to this country; they would not perhaps with the same degree of confidence send orders to this country, if they came here they would be enabled themselves to look at the articles they might have occasion to purchase. I think whilst the whole trade was carried on in the port of London, the foreign merchants never felt any difficulty, even if they could not visit this country, in sending their orders; knowing they would be executed from the correct and particular character of the East India Company, they bought their goods precisely the same as if they were present; if the trade was dissipated, certainly the same circumstance could not take place, as the parties at the out-ports, or wherever the goods might lie, might be from necessitous circumstances obliged to sell at a less rate than the usual sales made through the medium of the Company in London; therefore it would be necessary for the foreigners to come actually and buy their goods here, without sending their orders, as they have been accustomed to do, through the medium of persons in London, through whom they have directed their purchases; they certainly could not order with the same confidence when the trade is dissipated in various parts of the country, as they can now the trade is concentrated in the port of London.

(Examined by the Committee.)

If the duty to be established in the event of opening the trade with India to the out-ports were to be placed on the same footing, whether of a rated or an *ad valorem* duty, in London as in the out-ports, do you conceive it possible that any injury could be sustained by the merchant of London?—Certainly, if the same rate was levied at both places, and in the same manner, I should presume no difficulty of that description could arise; I should hardly presume that any persons importing, or any officers of his Majesty's customs, would not attend to their duty under such circumstances; I make my distinction only from the duty being levied upon the sales of the East India Company, at which considerable variation takes place, and that of the declaration of the private individual upon his invoice cost, or any other mode of proceeding that he might think proper to adopt. We know very well in all mercantile transactions that various persons, well connected and well acquainted with their business, will import their goods upon much better terms than those who are not so well acquainted, and have not the same means of laying them in at a proper rate from India; we are

aware that in all cases persons will both purchase at a much less expence, and import at a much less expence, though the same description of articles; and if imported under an *ad valorem* duty upon invoice cost, the one party importing upon those terms which were not so advantageous as his adversary, would pay higher duties if he paid them in the way in which they are levied in America, by the declaration of the parties; and it does frequently happen within my own knowledge, and what I have heard stated, that parties in America pay a much less duty upon the same articles purchased in this country for money, and those that are purchased upon credit, although they are precisely the same articles.

You are not yourself much connected with the continental trade?—Not a great deal; we frequently buy largely at the East India Company's sales, but we have either had occasion to ship them ourselves to the Mediterranean, or have sold them in London to persons who have made application to us through our brokers; our regular trade has been with America.

From your own knowledge or general acquaintance with mercantile men, can you name any period during the war which commenced in 1793, up to the present period, that America could send to any country in Europe the manufactures of India, at the time when a British merchant could not send to the same country the manufactures of India in a neutral ship?—It occurs to me, that there were very considerable shipments of piece-goods made from America, subsequent to the commencement of the present war in 1803; to Antwerp extremely considerable; I am quite certain of the fact, because I remember to have received very considerable remittances from Antwerp, the produce of those cargoes? I cannot state precisely the year, not expecting to be asked a question of the kind, or I would have been prepared to answer it; but since the commencement of the present war, there have been considerable shipments of Indian produce made, not only to the ports under the dominion of the French, but also to the Dutch ports, the proceeds of which have been remitted to this country. The Americans were in the habit of transacting nearly the whole of the business of Batavia, as also the Isle of France; Batavian produce came in very considerable quantities to the ports of Holland and Hamburgh.—[The Witness withdrew.]

HOUSE OF COMMONS.

Tuesday, April 27.

PETITIONS FOR PROMULGATING THE CHRISTIAN RELIGION IN INDIA.] A Petition of the friends to religious liberty residing at and near Whitchurch, in the county of Southampton, was presented and read; setting forth, "That the petitioners feel it their incumbent duty to state to the House, at the important period when the renewal of the East India Company's charter is under the consideration of the House, their firm persuasion that the exclusive power the said Company has hitherto possessed and exercised respecting the residence of persons in India not servants of the Company, has been, as directed against peaceable Christian missionaries, a great hindrance to the moral and religious improvement of our fellow subjects in India, and to their participation of those blessings which, as Britons and Christians, the petitioners enjoy; and they therefore hope, and earnestly intreat the House, that, in the charter intended to be granted to the East India Company, such provisions may be made as will secure the admission of Christian ministers and missionaries into India, and their protection there, so long as they act agreeable to the laws and the duties of good and peaceable subjects."

A Petition of the synod of Fife, was also presented and read; setting forth, "That the petitioners, the ministers and elders of the provincial synod of Fife, regard with deep interest the religious and moral condition of their brethren and fellow subjects, the inhabitants of British India, now sitting in darkness, practising horrid cruelties under the name of religious rites, and addicted to the most detestable usages; and that, in the opinion of the petitioners, the free diffusion of the gospel of Christ through that vast region can alone afford an effectual remedy for those evils; and that the obstructions which the policy of the East India Company has hitherto presented to the admission of Christian ministers into the Indian territories are, as the petitioners apprehend, not less repugnant to the true interests of the British empire than adverse to the gracious designs of heaven for the happiness of the human race; and that the petitioners feel it to be their imperious duty to do every thing in their power to promote the best interests of so great a multitude of their fellow subjects, by procuring for them, if possible, the invaluable blessing

of the knowledge of the gospel; and that the petitioners feel much encouraged by the sentiments which were expressed by the House on the 14th May 1793, in their resolution of that date, 'That it is the peculiar and bounden duty of the legislature to promote, by all just and prudent means, the interest and happiness of the inhabitants of the British dominions in India; and that, for these ends, such measures ought to be adopted as may gradually tend to their advancement in useful knowledge, and to their religious and moral improvement;' and that the petitioners, as constituting a part of the ecclesiastical establishment of Scotland, feel it in particular to be their duty to request the House to take such steps as may be necessary to secure to the numerous members of the church of Scotland resident in British India the celebration of religious ordinances, agreeably to the forms and standards which from education and principle their judgments and consciences prefer; and that, as the renewal of the East India Company's charter has become the subject of parliamentary discussion, the petitioners are of opinion that a favourable opportunity presents itself to the friends of religion and humanity of expressing their sentiments to the House on this important subject; and praying the House to provide, in any Bill which may be passed for renewing the charter of the East India Company, that it shall be lawful for his Majesty's Protestant subjects of all denominations to send ministers and teachers to the British dominions in India, for the purpose of instructing the natives in the knowledge of Christianity, and of dispensing the ordinances of religion to our own countrymen residing there, agreeably to the modes of worship to which they may be respectively attached; that the said ministers and teachers, while in India, shall enjoy the full protection of the British government so long as they conduct themselves as peaceable subjects, and with that prudence and wisdom which become them as servants of Jesus Christ, and in particular that provision be made for affording religious ordinances to the members of the church of Scotland resident in India, according to the forms and standards of their native church."

Ordered to lie upon the table.

Petitions complaining of Itinerant Auctioneers.] A Petition of several woollen and linen drapers and other shopkeepers residing in Tewkesbury, was presented and read; setting forth,

"That, for several years past, material injury has been sustained by the petitioners and other fair tradesmen and shopkeepers in most parts of the kingdom, by the great and increasing number of sales by itinerant auctioneers, who dispose of large quantities of woollen and linen drapery, hosiery, books, jewellery, hardware, and almost every species of goods, and also by manufacturers and other persons going through the country and disposing of their goods by retail, without being burthened with parochial rates, which from the pressure of the times, have very much increased, and many other very heavy expences to which the resident shopkeeper is subject, who, in consequence of his trade, is under the necessity of occupying a large house and premises, with an expensive establishment, and, for the maintenance of his credit, must pay his manufacturer with regularity, also his rent and taxes, and support perhaps a numerous and necessarily expensive family, and who confines himself to his own town, without interfering with or intruding his goods upon any other; and that, by the frequency of hawking and sales by auction, facilities are given to many in embarrassed circumstances to dispose of their effects, to the injury of their creditors; and that, unless a check be given thereto by some legislative provision, great embarrassment and inconvenience must be sustained by the petitioners and the country at large, and impending ruin threatens to be the consequence; and praying for relief."

A Petition of several traders and shopkeepers of the city of Bath, was also presented and read; setting forth,

"That sales of a novel and injurious description have, within these few years, been introduced into that city, and are now increased to an alarming extent; and that the sales to which the petitioners allude are conducted, under an auctioneer's licence, by certain adventurers and speculators, who, from various sources, collect almost every description of goods, which by means of delusive advertisements and other artifices, they are enabled to dispose of to a very great extent, and thereby engross a considerable part of that ready money which, in the ordinary mode of business, would have been laid out with the resident shopkeeper, and afforded him the means of supporting his family, defraying his numerous expences, and con-

tributing his share of those taxes which the exigencies of the state require; and that the petitioners humbly represent to the House, that a considerable proportion of the trade of the city of Bath is derived from the influx of visitors for the season only, which seldom exceeds six or seven months, and for whose accommodation the petitioners necessarily maintain expensive establishments, and provide such assortments of goods as are adapted to their comfort and convenience, under the expectation of receiving the same fair and liberal remuneration which they formerly experienced; but they have to complain that, owing to the immense quantity of inferior articles daily disposed of by auction, particularly during the season, the regular trade of that city has been diverted from its usual channel, and the resident shopkeeper has been in a measure supplanted by the speculative auctioneer; and that the petitioners have further humbly to submit, that, in consequence of such sales, many honest and industrious men have been ruined, and their families plunged into the greatest difficulties; that houses and shops, in the most eligible situations, have become untenanted; that the general value of such property has been greatly diminished; that parochial rates have proportionably increased, and the public revenue consequently materially affected; and that the petitioners are fully sensible, that well-regulated auctions, as originally intended, are beneficial and conducive to the general good, and as such have been protected by the legislature, but, like other matters connected with trade and commerce, are subject to innovation and abuse, and, in the case complained of, have become a source of extreme distress; and that, by the frequency of these sales, facilities are given to dishonest debtors, in embarrassed circumstances, to dispose of their effects, to the injury of their creditors; and, unless a check be given by some legislative provision to this growing evil, the consequences to the community will be dangerous in the extreme: and praying for relief."

Ordered to lie upon the table.

Roman Catholics.] Sir John Coxe Hippisley gave notice that it was his intention to move that a Select Committee be appointed to examine and report the state of the laws affecting his Majesty's Roman Catholic subjects within the realm;—the state and number of the Roman Catholic clergy—their religious institutions, and their intercourse with the see of Rome, or other foreign jurisdiction; the state of the laws and regulations affecting his Majesty's Roman Catholic subjects in the several colonies of Great Britain;—the regulations of foreign states, as far as they can be substantiated by evidence, respecting the nomination, collation, or institution of the episcopal order of the Roman Catholic clergy, and the regulations of their intercourse with the see of Rome. That such committee have the usual powers to call for persons, papers, and records, but to be limited by instruction of the House in their report, merely to the statement of facts appearing in evidence. It was his intention, if this committee should be granted, to move previously for various papers to be referred to them. He intended to bring forward his motion on the day of the call, Tuesday the 11th of May.

East India Company.] Mr. *Protheroe* rose to complain of a breach of the privileges of the House. He held in his hands a paper, said to be an abstract of the evidence taken before a committee of the House, said to be by the Editor of the Debates on the East India Question, and published by Black and Parry, Leadenhall-street. This was not a fair abstract—it was nothing better than a garbled statement: it was not merely advertised in the public papers, but a copy was sent to every member of parliament. It was said on the debate, when the select committee was proposed, that many members would be tempted never to read the evidence from its length. It might be said, with equal propriety, that many members might be tempted to read the evidence in this abridged form, and then come to the decision of the question, with their minds biassed by this unfair statement. It was not, however, his intention to call the attention of the House at present to the subject; but, if this unfair proceeding was continued, he should think it his duty to call for the severest punishment which it was in the power of the House to inflict.

Mr. *Tierney* did not exactly see that there was any foundation in this case for a complaint of a breach of privilege. If any person should print as evidence, what was never given before the House, it would be different; but he did not see how it was possible to inflict punishment for printing any thing that was contained in what was

already printed by order of the House; if nothing was super-added, he could see no breach of privilege. When he said this, he knew nothing of the publication alluded to by the hon. gentleman.

Mr. *Protheroe* said, if it had been a fair publication he would not have complained, but it was in the highest degree unfair and garbled. Most material parts of the evidence were left out, for the purpose of giving an unfair view of it, and giving a different turn to many parts of it. That it was done with a party view was evident, from all the squibs against the party who opposed the East India Company being advertised on its covers.

Mr. *Robinson* said, that the court of directors had no participation in this publication, or the smallest wish to give garbled evidence to the public. When they heard of it, they endeavoured to remedy its imperfections by publishing the whole of the evidence taken before the House.

HOUSE OF LORDS.

Wednesday, April 28.

Petitions for facilitating the introduction of Christian knowledge into India, were presented by the earl of Lonsdale, from Kendal; by viscount Melville, from the synod of Glasgow and Air, the inhabitants of Edinburgh, Leith, Dalkeith, and Dumfermline, which, together with other Petitions, were ordered to be referred to the East India Committee; as also a Petition presented by the marquis of Stafford from the manufacturers in the Staffordshire potteries, praying for a free trade to India from bonded ports.

Lord *Rolle* presented a Petition from the sheriff, noblemen, gentry, clergy, freeholders, &c. of the county of Devon, against the Catholic claims, which his lordship stated to have been agreed to, at a meeting regularly convened, after several hours discussion, by a majority in the proportion of 20 to 1.

Lord *Boringdon*, who came in shortly afterwards, stated, that he coincided in the prayer of the Petition, understanding it to be not hostile to the Catholic claims, but merely praying that measures might not be adopted tending in any degree to subvert the constitution in church or state. Several gentlemen of the county thought some expressions should be used more favourable to the claims of the Catholics, and a Petition for that purpose was already numerously signed, and would shortly be presented to the House.

The Bishop of *Exeter* contended, that the Petition now presented (to which he had affixed his name) was against the claims made by the Roman Catholics, although certainly expressed in moderate and temperate language.

Lord *Boringdon* read the Petition, and maintained that its construction was the same as he had before stated.

Lord *Kenyon* wished to know if the Petition was not considered hostile to the Catholic claims, where was the necessity for a counter Petition?

Lord *Boringdon* answered, for the purpose of using expressions more favourable to those claims.

The Petition was ordered to lie on the table.

HOUSE OF COMMONS.

Wednesday, April 28.

Petitions for Promulgating the Christian Religion in India.] A Petition from the inhabitants of Glasgow was presented to the House setting forth:

"That in the new arrangements about to be made respecting the policy and trade of India, it is the humble opinion of the petitioners attention should be paid by the legislature to the advancement of the great interests of Christianity; in particular it is their anxious desire that no obstruction should be permitted to exist which might prevent Christians of any denomination from enjoying in that country the full exercise of that religion, or which might impede the peaceful endeavours of pious and benevolent men who may seek to communicate to the natives the knowledge of the gospel; and that the petitioners humbly conceive, that whilst Pagans and Mahometans are permitted to exercise their religion under every form, no obstacle should be opposed to the full enjoyment of a similar privilege by Christians; to deny this to any class of his Majesty's subjects in any quarter of the empire, is so repugnant to the British character, and so contrary to justice, humanity, and the best interests of men, that the petitioners are persuaded it is only necessary to call to it the attention of parliament; and that, while the petitioners thus solicit attention to the religious interests of Christians in India, they humbly trust that their prayer will be not less favourably heard in behalf of endeavours

to diffuse, in a meek and peaceful manner among the natives of that country, the knowledge of Christianity; and that the petitioners respect the rights of conscience in the most ignorant and erring, and are far from entertaining the thought that any mean should be employed which might disturb the inhabitants in the possession of their just privileges; but they deeply deplore the ignorance in which that vast country is involved, and the prevalence in it of practices and customs abhorrent to every principle of humanity; and they humbly conceive that, if these be so deeply interwoven with the habits and superstitions of the people, as to render hazardous any direct attempt to oppose them, may the petitioners be allowed to hope that parliament will see more strongly the importance of permitting and encouraging the pious and humane in their meek and peaceful endeavours to promote the knowledge and power of that religion which alone can successfully change and elevate the character of men; and that such permission, enjoyed under a well regulated government, the petitioners humbly conceive to be not only consistent with the safety and peace of the empire, but of the greatest importance to its interests; whatever tends to improve the condition, habits, and character of the people, must be important to the general welfare; similarity of religious principle, while it removes many causes of jealousy and discord, leads to similarity of habits, and produces a new and powerful bond of affection; with this will be joined in the hearts of the natives of India the feeling of gratitude and respect to a people who have been the means of communicating to them a blessing so precious as the religion of Christ; and that the success of other nations, and the experience of our own, as far as it has been enjoyed, have shown that the labours of good men in this blessed design may be pursued not only without danger, but with the happiest effects, the natives of India have never manifested a disposition to complain of any attempt to acquaint them with the truths of Christianity; on the contrary, they have generally regarded the mild and benevolent teachers of the Gospel, who have assiduously sought to promote their best interests, with respect and veneration; and that to these considerations may the petitioners be permitted to add, that their wishes on this subject are chiefly animated by still higher motives than worldly policy and temporal blessings; as Christians, they desire the advancement of the kingdom of the Son of God, the Gospel of Christ they connect with the spiritual and future condition of the human race, and no obstacle, in their opinion, can be opposed to the diffusion, by lawful means, of a blessing so important without great inhumanity and guilt; they dread the consequences of even indifference to it under the righteous government of God, and they consider its encouragement as a mean of divine favour and protection to their country, and that, in favour of this great object, men of every rank have lately lifted their voice in a manner honourable to the feelings and spirit of the nation; and that the petitioners humbly trust, that not only shall no circumstance be permitted to exist which shall interrupt the progress of a spirit so worthy of the distinguished place which our country holds among the nations, but rather, as they ardently desire, that every possible facility may be afforded for conveying the inestimable blessings which they themselves enjoy not only among all the subjects of the British empire, but throughout every quarter and corner of the globe; and praying, that in the new arrangements to be made respecting the policy and trade of India, attention be paid to the advancement of the great interests of Christianity, in particular that every obstacle be removed which might prevent Christians of every denomination from enjoying the full exercise of their religion according to their conscience, and farther, that every possible liberty and facility be afforded to pious men in undertaking and endeavouring, by means consistent with the spirit of the Gospel, to communicate to the natives of India the knowledge and blessings of Christianity."

A Petition of the ministers and elders of the provincial synod of Glasgow and Air, now constitutionally assembled agreeably to the laws of the church of Scotland, was also presented and read; setting forth,

"That the petitioners, deeply impressed with the importance, not only of the education of youth, but also of public instruction and of religious worship, on the Lord's Day, to persons of every age, in order to promote their moral improvement, and to advance the political interests of society, have heard, with deep regret, that the ministers and licentiates of

the church of Scotland are not at present permitted to go out to India to teach schools, or to perform their sacred functions there, to those who may be disposed to attend upon their ministrations, and to receive from them instruction in the truths of Christianity; and that the petitioners feel this grievance the more, inasmuch that many of their countrymen, who have been educated in the religious principles and form of worship adopted in the church of Scotland, have settled in the different districts of India under the British government, to whom it would be important to have Christian instruction communicated, and public worship performed in the manner, and after the form, to which they have been accustomed in their early years, as well as to have opportunities of educating their children in the knowledge of the Christian faith; and that the petitioners, while they earnestly wish that the free exercise of religious worship may be enjoyed by all denominations of Christians residing in India, so long as they demean themselves as peaceable subjects, beg leave to state that all the ministers and licentiates of that church have received a regular university education, which qualifies them both for teaching schools, and for performing the services of religion, and which at the same time affords a presumption in favour of their cretion and the propriety of their conduct; and the consideration that they are members of a church which constitutes a part of the ecclesiastical establishment of the United Kingdom, will it is humbly hoped conciliate the favour of the House; and therefore praying the House to take under their serious consideration what is here humbly represented, and, in granting a renewal of the charter of the East India Company, to introduce into it such provisions as may be requisite for allowing and encouraging the ministers and licentiates of the established church of Scotland to go out unto India, and to exercise their religious functions there to those who may be disposed to attend upon their ministrations, and to receive from them instructions in the truths of Christianity, as well as to teach schools, so long as they shall conduct themselves in a peaceable and orderly manner."

Ordered to lie on the table.

PETITION TO AMEND THE ACT 5 ELIZ. RESPECTING LABOURERS.] Mr. Rose presented a Petition from several masters and journeymen mechanics, artificers, and handycraftsmen, setting forth,

"That by an Act passed in the 5th of Elizabeth, intituled, 'An Act containing divers orders for artificers, labourers, servants of husbandry, and apprentices,' certain enactments are made for the purpose of securing to the artificers and mechanics of the realm of England and Wales the trades and businesses to which they have been regularly brought up and served apprenticeships of seven years; and that, by the 31st section of the said Act, it is enacted, that, after the 1st of May then next coming, it should not be lawful to any person or persons other than such as then did lawfully use or exercise any art, mystery, or manual occupation, to set up, occupy, use, or exercise any craft, mystery, or occupation, then used or occupied within the realm of England or Wales, except he should have been brought up therein seven years at the least as an apprentice in manner and form abovesaid, nor to set any person on work in such mystery, art, or occupation, being not a workman at that day, except he should have been apprentice as is aforesaid, or else having served as an apprentice as is aforesaid, should or would become a journeyman, or be hired by the year, upon pain that every person willingly offending or doing the contrary should forfeit and lose for every default 40s. for every month; and that the petitioners conceive that the superiority of the mechanics, tradesmen, artificers, and manufacturers of this country over every other, has arisen in a great measure from the wise provisions of the legislature in establishing the said regulations, and thereby guaranteeing to them the exclusive exercise of the trade, mystery, or occupation, they have been regularly brought up to; and that, of late years, many unskilful persons, who have never served any apprenticeship, have set up divers handycraft and other occupations as masters, and many masters have employed unskilful workmen in their several businesses, who have never been brought up or served seven years in the same, and other masters have taken persons as apprentices for short terms of three or four years, contrary to the provisions of the said statute, and to the great injury of the petitioners as well as the public; and that several of the petitioners, with a view to the redress of these grievances, have caused prosecutions to be instituted and actions to be

brought against divers persons for infringing the said statute, but as the said statute does not give costs to the prosecutor, and no greater penalty can be recovered than for every default 40s. for every month, a moiety whereof, by the said statute, goes to the crown, and the expence of trying a cause upon the said statute is usually from 40 to 60l., the petitioners have suffered in a much greater degree by the heavy expences of carrying on such suits, than the defendants, by being convicted in such suits, and paying the penalties imposed by the said statute, besides which the prosecutor is liable to pay costs to the defendant if he does not obtain a verdict; and that, since the passing of the said statute, many new trades not then in use have arisen, and many trades therein enumerated have branched out into several divisions, which, at the time of the passing of the said Act, were comprized in one trade; and that the petitioners conceive it to be expedient, that such trades should have the benefit of the provisions of the said statute, as well as the trades enumerated therein; and that the said statute appears to the petitioners to be in other respects inadequate and inefficient, and requires amendment and extension; and praying, that leave may be given to bring in a Bill to explain and amend, and render more effectual for the purposes aforesaid the said statute, or in such manner and under such regulations as to the House shall seem meet."

Ordered to lie on the table.

Petition against the Roman Catholic Claims from Berrynarbor.] Mr. Tierney presented a Petition from the parishioners of Berrynarbor, in the county of Devon, agreed to at a vestry held the 11th of April 1813, setting forth,

"That the petitioners reside in a parish 250 miles west of the metropolis, having little intercourse with the rest of England; and that they have received by the post a printed paper for their signature, purporting to be a Petition to the House against certain claims preferred to the government by his Majesty's Roman Catholic subjects, and more particularly, that they may be admitted to sit in the House; and that the petitioners, having been bred up in the farming line, although they deem themselves very good judges of sheep and oxen, do not think they are perfectly competent to give an opinion how far it may be expedient to exclude persons from a seat in the House who are too conscientious to take an oath which militates against their religious persuasions for the purpose of obtaining it, and they therefore believe it to be more advisable to leave the determination of the said claims to the discretion of the House, and more particularly since they have not only been informed the pretensions of the Catholics have for the last twenty years occupied the attention of the first statesmen of these realms, but that they have likewise lately undergone a discussion in the House for three successive nights, which terminated in a resolution to go into a committee upon their said claims; and that the petitioners have been informed that, if the said claims are conceded, it will be in the power of the crown to constitute the Pretender commander in chief, and the Pope archbishop of Canterbury; but that the petitioners, having the fullest reliance upon the wisdom of the House, are persuaded it will at no time consent to so dangerous an experiment; and that the petitioners therefore humbly hope that the House will take no steps which may tend to the introduction of the Pope nor of the Pretender, but that, in every other respect, it will do what to it in its wisdom may seem proper."

The reading of this Petition excited much merriment. It was ordered to lie on the table, on the motion of Mr. Tierney, who observed, that it afforded another illustration of the mode by which it was attempted to procure petitions against the claims of the Catholics.

London Theatre Bill.] Lord Ossulston moved the second reading of the Bill for erecting a new Theatre for Dramatic Entertainments within the Metropolis. His lordship spoke at some length upon the subject, but from the low tone of voice in which his observations were delivered, we were wholly unable to collect their import in the gallery.

Mr. *Whitbread* observed, that his noble friend had come forward for the third time in the cause of the third theatre. He wholly differed from him, however, in most of his positions. His noble friend seemed to suppose that the successful re-erection of Drury-lane theatre had removed the only objection to the building of a third theatre. Now the reverse was the fact. He (Mr. W.) reminded the House of the manner in which the first application for the erection of a third

theatre had been made; it had been made to the crown, by the crown it had been referred to a committee of the privy council, and after a patient investigation of the subject, that committee had solemnly decided that no authority should be given by the crown to any persons to build such a theatre. The parties interested, driven from that course of proceeding, then applied to parliament. When the subject was first brought before that House, he and other gentlemen had been called on to endeavour to unravel that perplexed skein which seemed to be tangled beyond the possibility of recovery. He had then said in the House, that he thought it a hard case if a Bill were agreed to which must clap an extinguisher upon the hope of future prosperity to Drury-lane theatre. In fact, so entirely was the re-erection of Drury-lane out of the contemplation of the friends of the third theatre (as it was called, though it would have been the second), that they actually evinced a disposition to treat for the site of old Drury. If they had been successful in their application, and their theatre had become, what it must then have become, a second theatre, those gentlemen would soon have acquired theatrical knowledge enough to resist any application that might have been made for permission to erect a third theatre—a project pregnant with nothing but ruin to all parties. For his part he considered himself as wholly disinterested on the subject, having only a 500*l.* share in Drury lane; but he was satisfied that if the Bill before the House were to pass, the interest of those who had been associated with him in the re-erection of that building would be materially deteriorated, and the metropolis would gain nothing by the measure. His noble friend had talked of monopoly, as if it were so strict that the public had the benefit of only two theatres, Drury-lane and Covent-garden. How many of the hon. gentlemen who heard him would be surprised; and the right hon. the Speaker (whose important avocations allowed him but little leisure for theatrical amusements) would be surprised to learn, that that very night there were no less than seven theatres open to receive them, if they chose to honour them with their presence. At four of these theatres regular dramas were performed. At one Richard the Third; at another Douglas; at a third the Honey Moon and that in an admirable not a degraded manner; and at Covent Garden an excellent new comedy which he understood had been brought out for the first time last night. Besides these, there were three minor theatres, at which dramatic entertainments of various descriptions were to be performed. Such was the number of theatres, that no one theatre was full above one night out of seven; and they were never all full at the same time. He had as much objection to meretricious spectacle as his noble friend; but the fact was, that when there was no such spectacle to be represented, the theatres were empty. His noble friend talked of not being able to put up with the present state of the stage, and of the necessity of bringing forward great actors. Now, for his part, he was an advocate for the performers of the present day. He was persuaded that there were individuals in the tragic, comic, and every other department of the drama, whom Garrick, were he living, would be proud to select, and to associate with himself. He could not, therefore, agree with his noble friend that the stage was in a degraded state; but even if it were so, that degradation had not grown out of a monopoly, since monopoly was much more strict in the time of the immortal Garrick. His noble friend had talked of the necessity of finding and bringing forward great actors. Where were they to be found? Was this new theatre to be their nursery, their school, and afterwards their arena? The well known fact was, that in all times our great actors and actresses had been brought up in provincial theatres. In Great Britain alone (exclusive of Ireland) there were no less than 174 provincial theatres (independently of barns, &c. which were the resort of low strolling companies,) forming a great nursery of actors and actresses. How many of our best performers had we not obtained from Edinburgh, Glasgow, York, Bath, Liverpool, Manchester, Norwich, and a number of other regular theatres? all established by act of parliament; and most of them conducted in a manner highly creditable to the drama itself, as well as to the individuals concerned. Mrs. Siddons, Mrs. Jordan, Mr. Kemble, Mr. Young, and all the other great performers of the present day, had been derived from such sources as those which he had described, and were not trained on the London boards. Unquestionably it was competent to parliament to pass such a Bill as that before the House; but before they did so, he thought the law officers of the crown would stand

up and advise them not to trench on the prerogative of the crown, by interfering with the exact jurisdiction to which the prerogative of the crown extended; and the more especially after the circumstance of an application for a license having been made to the crown, and on solemn deliberation refused. Nor did he think that those hon. members who on a former occasion had compassionated the state of Drury-lane theatre, at that time in ruins, would now interfere in the earliest moments of its renovated existence to deteriorate the property, not of those alone who for the first time were subscribers to the concern, but of the old claimants, who had so liberally conceded the extent of their demands, in order that the theatre might be rebuilt. In the course of his noble friend's observations, he had glanced at what he had termed misplaced economy in the administration of the affairs of Drury-lane theatre. If, by the expression, his noble friend meant to say, that there had been any improper parsimony, any unjustifiable attempt to bate down the value of meritorious performers, any disposition to withhold from the Theatre money which ought to be expended in purposes of dignity, of ornament, and even of compassion, he denied its applicability; and on the part of those who were associated with him in the concern, and whose accounts would soon be submitted to the public, defied any man to lay his finger on an instance of misplaced economy; their uniform object had been to do justice to the proprietors, to the performers, and to the public. Without liberality, that justice could not be exhibited; without proper economy, there could be no liberality at all. He wished to ask his noble friend, where he thought a third theatre could be built, how it could be built, and when it could be built? He should also like to know, whence the audiences were to be obtained to fill it, in addition to all the other theatres of the metropolis? such audiences too, as would enable the proprietors to outdo the other theatres, and to obtain the best performers (and excellent ones, he repeated, these unquestionably were) in every walk of the histrionic profession. In order to illustrate the probability of success which a third theatre would enjoy, he begged leave to mention a circumstance he had witnessed within the last three months. One evening in February last, parliament (then sitting) adjourned at an early hour. On that evening there was performed at the King's Theatre in the Haymarket, a favourite Opera, Enrico IV. in which were exhibited some of the greatest musical talents in the country; Mrs. Jordan played at Covent-garden; at Drury-lane a legitimate and well acted opera was represented, in which the principal part was sustained by Mr. Braham, who had long been acknowledged to be the first English singer on the stage. It was a fine and favourable night; he visited the several theatres in succession; the Opera was exceedingly thin—Covent-garden a little better—and Drury-lane still a little better; but in no one of them was there an audience sufficient even to pay the expences. And yet that was in the very cream of the season, and when none of the minor theatres were open, to divert from the others a portion of the public attention. It appeared therefore, that the play-going part of the population of the metropolis had by no means increased, and that no necessity existed for their further accommodation.—The next point to be considered was, the part of the town in which the projected new theatre should be erected. There was no room in that part which the congregation of theatres—Drury-lane—Covent Garden—the Sans Pareil—the Olympic, miscalled Little Drury-lane—the Lyceum, &c. seemed to declare to be inhabited by the description of people most likely to visit theatres; and in which a new theatre might derive some benefit even from the overflow of its competitors. By some it was said, that the new theatre ought to be built up in Mary-le-bonne, by others in Leicester-square (a proposition which he conceived the inhabitants of that square would not be disposed very cordially to receive.) Some talked of pulling down a market for its erection, others of converting an existing stately public edifice into a third theatre. It appeared therefore, that no definitive determination had been come to on this subject; and yet it was a consideration of the greatest importance to the interest of the new concern. If the third theatre were built in Mary-le-bonne, there it would be met by the Pantheon,—if it were built in Tottenham-court-road, there it would be met by the Regency, if it were built in the East, there it would be met by the Royalty Theatre. In every direction it would find a population already more than adequately provided with theatrical amusements.—The noble lord had said much of the size

of the existing theatres. Numbers of opulent individuals had subscribed a large sum for the erection of a new theatre, and it seemed it was to be on a small scale. His noble friend quarrelled with Covent-garden and Drury-lane on this score. Of Drury-lane he (Mr. W.) would say that every body, at least a great majority of the public had declared, much to the credit of that eminent architect by whom it had been built, Mr. B. Wyatt, of whose great talents no praise could be extravagant, that all who were present could distinctly see the performance on the stage. He had read in a certain journal, the criticisms of which were not usually favourable to Drury-lane (for all the daily papers had their theatrical prejudices and partialities), a confession, that the lowest whisper could be heard in Drury-lane from the stage to the furthest corner of the house. If the public therefore possessed a theatre from every part of which they could see, and in every part of which they could hear, what more was required? And how could parliament be assured, as no definite plan had been submitted to them, that if those gentlemen obtained permission to build, they might not erect a theatre still larger than those which at present existed, as soon as they began to feel that they should not be able to gratify the public taste by the engagement of excellent performers, and at the same time pay the interest of their capital if they persisted in building the little snug commodious thing which they affected at present to have in contemplation? It did not appear to him that there was any predilection on the part of the public for small theatres. Some time ago, precisely the same company, under precisely the same circumstances, played precisely the same pieces in immediate succession at the Little Theatre and at the Great Theatre in the Haymarket. While they performed at the Little Theatre, where every movement of the muscles and every emotion of the soul were visible, and every under-tone was audible from all parts of the house, their representations were thinly attended. But the moment they crossed the way to the Great Theatre, that large house was crowded beyond all anticipation. A good deal had once been said about introducing quadrupeds on the theatre. Although they had been now discharged, yet it should be remembered, that at the same time, and at the same theatre, Shakespeare's best plays were inimitably performed; and whatever might be said of spectacles, and devices of this sort to fill a house, yet he must also say that the filling of the houses was necessary, in order to afford liberal salaries to the first rate performers, and that therefore an attractive spectacle gave the means of encouraging good actors. He would not allow that the stage was in a degraded state; and if the House thought that there was now sufficient accommodation for the play-going part of the inhabitants of the metropolis, he thought that they would not readily adopt a Bill which would most materially affect the interests of hundreds and thousands of persons connected with the present establishments. He hoped the House would not allow the Bill to be read a second time, but if they did, he must present petitions against it, in which the petitioners prayed to be heard by counsel against the Bill. He should also then move for those documents which had been before the privy council on this subject.

Lord *Ossulston* made a few observations in reply, in a low tone of voice.

Mr. *Whitbread* in answer said, that if any man could point out to him where excellence was to be obtained for money, he would venture to say, that no ill-judged parsimony would prevent the trustees for Drury-lane from obtaining it.

The gallery was then cleared for a division, but the House did not divide, in consequence of lord Ossulston having (as we understand) consented that the Bill should be read a second time that day six months.

HOUSE OF COMMONS.

Thursday, April 29.

PETITIONS RESPECTING THE COTTON TRADE.] A Petition of several merchants, manufacturers, cotton spinners, and calico printers, in the city and vicinity of Glasgow, was presented and read; setting forth,

"That, by the Act 49 Geo. 3, c. 98, for repealing the several duties of customs chargeable in Great Britain, and for granting other duties in lieu thereof, a duty was imposed upon cotton wool equal to two-pence per pound weight, if imported into this country in a British built ship, and three-pence per pound weight if imported in a ship not British built; and that, for a considerable period, the cotton trade of this country has been in a state

greatly depressed and declining, the losses to those engaged in it, both upon their stock and by bad debts, and the privations of the operatives, from the depression of their wages, have been unprecedently great, as a consequence; and, in proof of this, the fall in the value of fixed stock has been enormous, and a very considerable proportion of it is wholly abandoned; and it appears to the petitioners, that the existing tax has contributed, along with other causes, to produce this effect, and that numerous manufactures of cotton have of late been established in many of the United States of America, and the natural influence of the present state of war is to increase these establishments, the tax complained of must operate as an additional premium, not only by raising the price of the raw material here, but by lowering it to the manufacturers of America, Germany, Russia, and Turkey; and, if the cotton wool of America is thereby excluded from the British market, she is rendered less able, and, although this were not the case, she will refuse to purchase our manufactured fabrics; and that, in the cheapness and superiority of the raw material, in the saving of freight, and other charges, in the command of power which the rivers every where afford, in the extent and increasing demand in the American market, in being less likely to be involved in European politics and wars, and other circumstances connected with his situation, the American manufacturer possesses highly important natural advantages, of which it is impossible to deprive him; industry and skill have never been long wanting, where such premiums have been furnished, to call forth and reward them; the skill of our own mechanics was the creation of a few years, many of these have already emigrated to the United States, and the increase of the manufactures of America is in perpetual operation to promote their natural tendency to emigrate; not only is the rapidly increasing population of America likely soon to deprive this country, in a great measure, of the advantage arising from cheaper workmen, but there is no description of manufacture in which, in proportion to its extent, so few hands are employed; in spinning, weaving, calico-printing, and ornamenting, human labour is now greatly superseded by mechanical skill, and every day, by the introduction of new machines, the demand for labourers, and the advantage arising from possessing them in abundance, is diminished; and that the Sea Island cotton of America forms the staple of the muslin manufacture of Glasgow and that part of the empire; it is impossible for the manufacturer to make the same perfect fabric without it, or for our colonies to supply him with wool of equal quality; of this wool there is but a small quantity at present in Britain, as it is necessary to the manufacturer of the fine descriptions of piece goods, it must be purchased at whatever price, so that the proposed tax, in so far as it bears upon this description of wool, must be paid by the British manufacturer and consumer; and that the petitioners are far from complaining of any peculiar encouragements which the legislature may, in its wisdom, see meet to give to the linen manufactures of the country; they do not complain of the bounties being continued to them, of which a branch of the cotton trade has lately been deprived; they cannot, however, forbear stating, that, although the continental markets were now opened, the petitioners would, in a great measure, be excluded from a fair competition not only by the British and Irish linens thus supported, and by the piece goods of the East Indies, but by the foreign manufactures of muslins and linens, which come into market in most cases free of tax, or taxed to a much smaller extent; nor has any permanent advantage at all equivalent resulted from the tax to the British colonial planter and ship owner; the former can hardly be expected to make any material alteration upon the system of his cotton plantations upon the faith of a tax which may be speedily repealed; and with regard to the latter, the discrepancy between the amount of the tax to neutrals and British ships has been found, by experience, to be more than counterbalanced by the additional freight and charges, the circuitous voyage, and the transhipment of the goods, and other charges necessarily attendant upon importation in British ships, and whatever affects our manufactures will ultimately injure our ships, colonies, and commerce; and that, upon the whole, the petitioners entreat the House to allow them to state, that the cotton trade, especially in its present state, cannot, without manifest danger to its existance, be converted into a means of political annoyance to America; and they are hopeful that the legislature will not continue to put that to hazard which is not only so im-

portant to the country, but upon which so many thousands depend for their employment and daily subsistence; and praying the House to relieve the cotton trade from its present situation of difficulty, by the repeal of the existing tax upon cotton wool, or by allowing such drawback upon yarns and manufactured goods, on exportation, as will enable the British manufacturer to compete with the manufacturers of other nations in foreign markets."

A Petition of several planters, merchants, and others resident in the city of Glasgow, interested in the trade and prosperity of the British West India colonies, was also presented and read; setting forth,

"That, by the Act of the 43d of his present Majesty, the importation of certain articles is permitted into the United Kingdom, direct in neutral ships, from the countries of our enemies, a system which the petitioners humbly conceive to be highly injurious to the commercial interests of the empire; and that, among the evils attendant on allowing our enemies to relieve themselves of their surplus productions in the markets of this kingdom, it is not the least that those of friendly countries are thereby precluded from advantages which otherwise they would enjoy, and that the produce of the British colonies is rendered unprofitable to our planters, merchants, and ship owners, to a most injurious degree; to exemplify this remark, the petitioners beg leave to point out the article of cotton wool, of which abundant quantities, of every requisite description, may be procured from the British West India colonies, South America, and the East Indies, for it is a well known fact that some years ago a quality of cotton superior to any Sea Island Georgia was raised in the island of Tobago, from Bourbon seed; were our planters, therefore, sufficiently protected against importations from the American states, there is no doubt that not only the island of Tobago, but almost every other British colony in the West Indies, would produce cotton of the very finest description; and that importations from the countries of our enemies not only prove highly injurious to our own planters, and those of friendly states, but also, in a great degree, deprive British shipping of a profitable employment in bringing to this country the produce of South America, and our manufacturers of the benefit of the vent for those goods with which the payment would be made in return; and that, in every point of view, therefore, when the produce of our own colonies is exposed to many heavy additional expences, arising out of a state of war, it becomes a wise and highly expedient measure to prohibit the importation of all articles the growth and produce of the United States of America, which so materially interfere with the vital interests of our own colonies, and with the general interests of the empire; and that, towards accomplishing this salutary system, the petitioners see with much satisfaction the measures lately adopted by his Majesty's ministers in the blockade of the southern ports of the American states; but as cotton wool, and the other productions of these countries, may still find their way into this kingdom, the petitioners pray, that the aforesaid Act of the 43d of the King may be repealed, and farther, that all articles the growth and produce of the American states may be prohibited from being imported into this kingdom during the war."

Ordered to lie on the table.

Mr. *Baring* wished to know from the right hon. the Chancellor of the Exchequer, whether it was his intention to continue the tax upon cotton? From the uncertainty which prevailed on the subject, he said, that much jobbing, and injurious speculation prevailed at present.

The *Chancellor of the Exchequer* was unable to answer directly; but said, that he would give the information required with as little delay as possible. The tax was now of less importance than formerly, on account of our blockade of some of the American ports.

Bill to amend the Acts respecting the Assize of Bread.] Mr. *Frankland Lewis* moved for leave to bring in a Bill for the better regulating the assize of bread. Although he was at first unwilling to interfere with so delicate a matter as the trade in provisions, thinking it would be right to leave it, like every other, to regulate itself by the standard of the demand and the supply; still he found, on a nearer inspection of the business, that the general rules which apply to other trades, did not apply exactly in the same manner and extent to this. He thought it would be dangerous, in times of scarcity, to leave the whole responsibility on the bakers; it would be safer to

lay it on the magistrates, who had power in their hands for the execution of the laws, and for their own protection. The law which now prevailed throughout the country on this subject was passed in 1758, and wanted amendment. There was a separate law, passed in 1797, for the city of London, and for ten miles round, which was a considerable improvement on the laws of 1758. The Bill which he intended to bring in, was to amend two Acts of the 31st George 2, and of the 13th of George 3, on this subject. He then moved, "That leave be given to bring in a Bill to alter and amend the said Acts, so far as relates to the price and assize of bread to be sold out of the city of London, and the liberties thereof, and beyond the weekly bills of mortality, and ten miles of the Royal Exchange." Leave was accordingly given.

HOUSE OF COMMONS.

Friday, April 30.

ROMAN CATHOLIC RELIEF BILL.] Mr. *Grattan* presented his Bill "to provide for the removal of the Civil and Military Disqualifications, under which his Majesty's Roman Catholic Subjects now labour." The title of the Bill being read, the right hon. gentleman moved, that the Bill be read a first time, and printed: which was agreed to.

Mr. *Canning* said, that there was nothing in the Bill to which he did not cordially agree. At the same time, there were other provisions not in it which he was desirous to introduce, not indeed conflicting with it, but carrying its spirit and principle still farther. It was desirable that the House should be apprised, before the discussion took place, of the nature of the additional clauses he meant to bring forward; and as he believed it would not be quite irregular, though perhaps somewhat unusual, he wished, if it were the pleasure of the House, that these clauses should be printed, and circulated with the Bill.

Sir *J. C. Hippisley* earnestly wished, that a committee having been appointed, they should immediately go into an enquiry on the Catholic Question, and a Report be printed, that the public feelings might be no longer lacerated with the different opinions of high authorities, this right reverend prelate stating one thing, and that right reverend prelate quite the contrary. There was not a Bill, so much as for opening a street, or erecting a turnpike, but there was a report upon it, which was printed, and sent forth to the public at a great expence. He yielded in ardour to no man, not even to the right hon. gentleman (Mr. Grattan) on the subject of Catholic Emancipation, rightly understood, and rightly guarded; but he would say, that as to the simple repeal of the existing disabilities, simple would be the vote of that House in agreeing to it.

Mr. *Grattan* having moved a call of the House on the 11th of May, for the second reading of the Bill,

Lord *Castlereagh* suggested whether it would not be better to have the House called over one day, and the Bill read a second time on the next, as the calling over the names of the members generally occupied two or three hours.

Mr. *Ponsonby* thought that his right hon. friend's motion might stand as he originally proposed it, without any inconvenience, since if the House were as full as he desired, he would very probably not insist on having the House called over.

Sir *J. C. Hippisley* said, that he hoped to lay before the Committee such documents as would compel the majority of the members to postpone the measure, at least for the present session.

Sir *C. Pole* wished the right hon. member could be prevailed upon so to frame his Bill as not to affect the navy during the continuance of the war.

Mr. *D. Browne* was of opinion, that if there was any part of our establishments to which the Bill applied more immediately than to another, the navy was precisely that part.

Mr. *H. Addington* stated, that those who had voted for committing the Bill had not therefore pledged themselves to support the principle. He had not, however, voted for the Committee, and he should certainly oppose the principle of the Bill.

Mr. *Grattan* said, that the House, by passing the Resolutions which were the foundation of the Bill, had sanctioned the principle. [Hear! hear!]

The original question was then put and carried, that the Bill be read a second time on the 11th of May.

COPY OF THE ROMAN CATHOLIC RELIEF BILL, AS BROUGHT IN BY MR. GRATTAN.] The following is a copy of the Bill, as brought in by Mr. Grattan:

A Bill to provide for the Removal of the Civil and Military Disqualifications,

under which his Majesty's Roman Catholic subjects now labour.

Whereas the Protestant succession to the crown is, by the Act for the further Limitation of the Crown, and the better securing the Liberties of the People, established permanently and inviolably:

And whereas the Protestant Episcopal Church of England and Ireland, and the doctrine, discipline and government thereof, and likewise the Protestant Church of Scotland, and the doctrine, discipline and government thereof, are established permanently and inviolably:

And whereas it would tend to promote the interest of the same, and strengthen our free constitution, of which they are an essential part, if the civil and military disqualifications, under which his Majesty's Roman Catholic subjects now labour, were removed:

And whereas, after due consideration of the Petitions of the said Roman Catholics, it appears highly advisable to communicate to them the blessings of our free form of government; and, with a view to put an end to all religious jealousies between his Majesty's subjects, and to bury in oblivion all animosities between Great Britain and Ireland, so that the inhabitants of the respective countries may be bound together, in all times to come, by the same privileges, and the same interest, in defence of their common liberties and government, against all the enemies of the British empire;

May it please your Majesty,

That it may be enacted; and be it enacted, by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present parliament assembled, and by the authority of the same, That, from and after the it shall and may be lawful for persons professing the Roman Catholic religion, to sit and vote in either House of Parliament, being in all other respects duly qualified so to sit and vote, upon making, taking and subscribing, the following Declaration and Oath, instead of the Oaths of Allegiance, Abjuration and Supremacy, and instead of making and subscribing the Declaration against Transubstantiation, and the Declaration against the Invocation of Saints, now by law required;

'I, *A. B.* do hereby declare, That I do 'profess the Roman Catholic religion; 'and I do sincerely promise and swear 'that I will be faithful and bear true allegiance to his Majesty king George the '3rd, and him will defend, to the utmost 'of my power, against all conspiracies 'and attempts whatever, that shall be 'made against his person, crown or dignity; and I will do my utmost endeavour to disclose and make known to his 'Majesty, his heirs and successors, all 'treasons and traitorous conspiracies, 'which may be formed against him or 'them; and I do faithfully promise to 'maintain, support and defend, to the utmost of my power, the succession of the 'crown, which succession, by an Act 'intituled, 'An Act for the further Limitation of the Crown, and the better securing the Rights and Liberties of the 'Subject, is and stands limited to the 'princess Sophia, electress and duchess 'dowager of Hanover, and the heirs of 'her body, being Protestants;' hereby 'utterly renouncing and abjuring any obedience or allegiance unto any other person, claiming or pretending a right to 'the crown of this realm: I do declare, 'that I do not believe that the Pope of 'Rome, or any other foreign prince, prelate, state or potentate, hath or ought to 'have any temporal or civil jurisdiction, 'power, superiority or pre-eminence, directly or indirectly, within this realm; 'I do further declare, that it is not an article of my faith, and that I do renounce, 'reject and abjure the opinion, that princes 'excommunicated by the Pope or Council, 'or by the Pope and Council, or by any 'authority of the see of Rome, or by any 'authority whatsoever, may be deposed or 'murdered by their subjects, or any person whatsoever: I do swear, that I will 'defend to the utmost of my power, the 'settlement and arrangement of property 'within this realm, as established by the 'laws: I do swear, that I do abjure, condemn and detest, as unchristian and impious, the principle, that it is lawful to 'destroy or any ways injure any person 'whatsoever, for or under the pretence of 'such person being an heretic; I do declare solemnly before God, that I believe 'that no act, in itself unjust or immoral, 'can ever be justified or excused by or 'under the pretence or colour, that it was 'done, either for the good of the church, 'or in obedience to any ecclesiastical 'power whatsoever: I also declare, that 'it is not an article of the Roman Catholic 'faith, neither am I thereby required to

'believe or profess, that the Pope is infallible; or that I am bound to obey any order, in its own nature immoral, though the Pope or any ecclesiastical power should issue or direct such order; but, on the contrary, I hold that it would be sinful in me, to pay any respect or obedience thereto: I further declare, that I do not believe, that any sin whatsoever committed by me, can be forgiven, at the mere will of any pope or of any priest, or any person or persons whatsoever; but that sincere sorrow for past sins, a firm and sincere resolution to avoid future guilt, and to atone to God, are previous and indispensable requisites to establish a well-founded expectation of forgiveness; and that any person, who receives absolution without these previous requisites, so far from obtaining thereby any remission of his sins, incurs the additional guilt of violating a sacrament; I do reject and detest, as an unchristian and impious principle, that faith is not to be kept with heretics or infidels: I do hereby disclaim, disavow and solemnly abjure any intention to subvert the present Church establishment, for the purpose of substituting a Roman Catholic establishment in its stead: I do solemnly swear, that I will not use any privilege, power, or influence, which I do now or may hereafter possess, to overthrow or disturb the present Church establishments of the United Kingdom; and that I never will, by any conspiracy, contrivance, or device whatsoever, abet others in any attempt to overthrow or disturb the same; and that I will make known to his Majesty, his heirs and successors, all attempts, plots, or conspiracies, whether at home or abroad, which shall come to my knowledge, for effecting either of these purposes: I do solemnly, in the presence of God, profess, testify and declare, that I do swear this Oath and make this Declaration, and every part thereof, in the plain and ordinary sense of the words, without any evasion, equivocation or mental reservation whatever; and without any dispensation already granted by the Pope, or any authority of the see of Rome, or any person whatever; and without thinking that I am or can be acquitted before God or man, or absolved of this Declaration, or any part thereof, although the Pope, or any other person or authority whatsoever, shall dispense with or annul the same, or declare that it was null and void from the beginning. So help me God.'

And be it further enacted, that it shall and may be lawful for persons professing the Roman Catholic religion, to vote at elections of members to serve in parliament, being in all other respects duly qualified so to do, upon making taking and subscribing, either in manner by this Act directed, or at the time and place of tendering their votes, before the returning officer or officers presiding at such elections (who is and are hereby authorized and required to receive and administer the same) instead of the Oaths of Allegiance, Abjuration and Supremacy, and instead of such other oath or oaths as are now by law required to be taken, for the purpose aforesaid, by any of his Majesty's subjects professing the Roman Catholic religion, the aforesaid Declaration and Oath; and also, upon taking such other oath or oaths as may now be lawfully tendered, to any person or persons offering to vote at such elections.

And be it further enacted, that it shall be lawful for persons professing the Roman Catholic religion, to hold exercise and enjoy all civil and military offices or places of trust or profit, under his Majesty, his heirs or successors; except as hereinafter excepted; upon making taking and subscribing the aforesaid Declaration and Oath, instead of the Oaths and Declaration against Transubstantiation, and the Declaration against the Invocation of Saints, now by law required; and upon taking also such oath or oaths as are now by law required to be taken, by any person or persons, on his or their admission into any such office or place of trust or profit respectively; and without taking the Sacrament of our Lord's Supper, according to the usage of the church of England: Provided always, that nothing herein contained shall extend or be construed to extend, to enable any person, being a Roman Catholic, to hold and enjoy the office of Lord High Chancellor, Lord Keeper or Lord Commissioner of the Great Seal of Great Britain, or of Lord Lieutenant, or Lord Deputy, or other chief governor or governors of Ireland.

And be it further enacted, that it shall and may be lawful for any person, professing the Roman Catholic religion, to be a member of any lay body corporate, and to hold any civil office or place of trust or profit therein, upon making taking and subscribing the Declaration and Oath

aforesaid, instead of the Oaths of Allegiance, Abjuration or Supremacy, and instead of the Declaration against Transubstantiation and the Declaration against the Invocation of Saints, now by law required; and upon taking also, such other oath or oaths as may now by law be required to be taken, by any person or persons becoming a member or members of such lay body corporate, or being admitted to hold any office or place of trust or profit within the same; and without taking the Sacrament of our Lord's Supper, according to the usage of the church of England: Provided always, that nothing in this Act contained shall extend or be construed to extend, to dispense with, repeal or alter any of the laws now in force, for establishing the uniformity of public prayers or administration of sacraments, in the united episcopal church of England and Ireland, or to enable any person or persons, otherwise than as they are now by law enabled, to hold enjoy or exercise any office, benefice, place or dignity, of in or belonging to the said united church of England and Ireland, or the church of Scotland; or any place or office whatever, of or belonging to any of the ecclesiastical courts of judicature of this realm; or of any court of appeal from, or review of the sentences of such court or courts; or of or belonging to any cathedral, or to any collegiate or ecclesiastical establishment or foundation within the same; or any office or place of or belonging to any of the universities of this realm; or any office or place of provost, master, head or fellow, tutor, scholar, student or exhibitioner, or by whatever other name the same may be called, of or in any of the said universities, upon the establishment or foundation of the same; or of or belonging to the colleges of Eton, Westminster, or Winchester; or any college or school of royal or ecclesiastical foundation within this realm: Provided also, that nothing herein contained shall extend or be construed to extend, to enable any person, professing the Roman Catholic religion, to exercise any right of presentation to any ecclesiastical benefice whatsoever; and that in every case, in which a right of presentation is or shall be vested in a person professing the Roman Catholic religion, the same shall be and continue to be exercised in the same manner, and in no other, than is now by law required; save and except where such right of presentation shall belong to any office in the gift or appointment of his Majesty, his heirs and successors; in which case, if such office shall be held by a person professing the Roman Catholic religion, it shall and may be lawful for his Majesty, his heirs and successors to appoint, by commission under the great seal, such member or members of the privy council, being a Protestant or Protestants, as he or they shall think fit, to be a commissioner or commissioners, for exercising such right of presentation, whilst such office shall be held by a person professing the Roman Catholic religion.

Provided also, and be it further enacted, that it shall not be lawful for any person, professing the Roman Catholic religion, directly or indirectly, to advise the crown in the appointment or disposal of any office or preferment, lay or ecclesiastical, in the united Protestant episcopal church of England and Ireland, or of the church of Scotland; and that, if any such person shall presume to advise his Majesty; his heirs or successors, touching or concerning any such appointment or disposal, he shall, being thereof convicted by due course of law, be deemed guilty of

and disabled from holding any office, civil or military, under the crown.

And be it further enacted, that every person, now exercising, or who shall hereafter exercise any of the spiritual duties or functions, usually exercised by persons in holy orders, professing the Roman Catholic religion, shall within calendar months from the passing of this Act, or within after entering into holy orders, and before he shall exercise any of the spiritual duties or functions aforesaid, take make and subscribe the Oath and Declaration in this Act contained, and also the Oath following:

'I *A. B.* do swear, that I will never 'concur in, or consent to the appointment 'or consecration of any Roman Catholic 'bishop, or vicar apostolic, in the United 'Kingdom, but such as I shall conscien'tiously deem to be of unimpeachable 'loyalty and peaceable conduct: and I 'do swear, that I have not, and will not 'have, any correspondence or com'munication with the Pope or See of 'Rome, or with any court or tribunal 'established or to be established by the 'Pope or See of Rome, or by the au'thority of the same, or with any per'son or persons authorized or pretending

'to be authorized by the Pope or See of 'Rome, tending directly or indirectly to 'overthrow or disturb the Protestant go'vernment, or the Protestant church of 'Great Britain and Ireland, or the church 'of Scotland, as by law established; and 'that I will not correspond or communi'cate with the Pope or See of Rome, or 'with any tribunal established or to be 'established by the Pope or See of Rome, 'or by the authority of the same, or with 'any person or persons authorized or pre'tending to be authorized by the Pope or 'See of Rome, on any matter or thing not 'purely ecclesiastical.'

And be it enacted, that every person who shall presume to exercise such duties or functions, without taking and making such Oaths and Declarations, in manner herein prescribed and directed, being thereof convicted by due course of law, shall be deemed guilty of

And be it further enacted, that the said Oath and Declaration by this Act appointed to be taken and made, instead of any other oath or oaths, declaration or declarations, now by law required to be made or taken by persons professing the Roman Catholic religion, shall and may be made and taken in any of his Majesty's courts of Chancery, King's-bench, Common Pleas or Exchequer, at Westminster or Dublin, or in any courts of general quarter sessions in Great Britain or Ireland; and shall be subscribed by the person taking and making the same, with his name at length, if such person can write, or with his mark, the name being written by the officer, where such person cannot write; such person or such officer, as the case may be, adding the title, addition and place of abode of such person; and shall remain of record in such court; and the proper officer of such court respectively, with whom the custody of such record shall remain, shall make subscribe and deliver a certificate of such oath and declaration having been duly made taken and subscribed, to the person, who shall have so made taken and subscribed the same, if the same shall be demanded, immediately; for which certificate, there shall be paid no greater fee or reward than and such certificate, upon proof of the certifier's hand, and that he acted as such officer as aforesaid, shall be sufficient evidence of such person's having duly made taken and subscribed such Declaration and Oaths.

And be it further enacted, that from and after the
no person born out of the United Kingdom of Great Britain and Ireland, or the dominions thereunto belonging, except such as are born of British or Irish parents, shall be capable of exercising any episcopal duties or functions, within the United Kingdom, or any part thereof; and if any such person shall presume to exercise such duties or functions, within the United Kingdom, or any part thereof, he, being thereof convicted by due course of law, shall be deemed guilty of
and shall be liable to be sent out of the kingdom; and for that purpose it shall be lawful for any one of his Majesty's principal secretaries of state, or the lord lieutenant, or chief governor, or chief governors of Ireland, or his or their chief secretary, by warrant under his hand and seal, directed to such person or persons as he shall think fit, to order such person, so having been convicted as aforesaid, to be conducted and conveyed out of the kingdom.

And be it further enacted, that from and after the
no person in holy orders, professing the Roman Catholic religion, shall be capable of exercising any episcopal duty or function, within the United Kingdom, unless he shall have been resident within the same for years next preceding his first exercising such episcopal duty or function; and that, if any person shall presume to exercise the same, not having been so resident, he being thereof convicted by due course of law, shall be deemed guilty of
and shall be liable to be sent out of the kingdom in manner aforesaid: Provided always, that nothing herein contained shall extend or be construed to extend to such persons as aforesaid, who shall, before the have been in the exercise of such episcopal duty or function.

HOUSE OF LORDS.

Monday, May 3.

In a Writ of Error, from the Exchequer Chamber, "Hearn *v.* Cole, Clerk," Mr. Edward Lawes was heard for the plaintiff, and Mr. Abbott for the defendant in error. —Judgment affirmed with 110*l.* costs. In the course of remarking upon this cause,

The *Lord Chancellor* observed, upon the bringing of Appeals and Writs of Error, merely for delay, and expressed an anxiety

that it might not be understood, that the House in ordering the new regulation for hearing causes at 10 o'clock in the morning, three days a week, in the order they stood in the paper, would not, also, according to their ancient custom, take any cause out of its turn, where it appeared to be brought up to the House, merely for delay. Were they not to do this, the new regulation, instead of being a benefit, would be a great evil, inasmuch as it would encourage persons, merely for the purpose of delay, to bring their appeals and writs of error. He, therefore, wished it to be distinctly understood, that parties, in appeals and writs of error, must be always ready to appear at the bar; and that the absence of a counsel who had signed errors, would not be deemed a sufficient excuse for not having other counsel to attend.

Petitions for facilitating the introduction of Christian knowledge into India, were presented by the earl of Coventry, from Worcester; the earl of Liverpool, from Glasgow and Margate; the marquis of Buckingham, from Aylesbury; lord Gambier, from the Church Missionary Society, Haddington, and Preston Kirk; earl Spencer, from the county of Northampton, and a number of Baptists in Northamptonshire; the marquis of Lansdowne, from Calne and Ramsey; the earl of Cardigan, from Chipping Wycomb; and Lord Boringdon from Plymouth.—Ordered to lie on the table; as also, a Petition presented by the earl of Caledon, from the Protestants of the county of Tyrone, praying for securities against foreign influence in admitting the Claims of the Catholics.

HOUSE OF COMMONS.

Monday, May 3.

PETITION RESPECTING THE COTTON TRADE, FROM PERSONS IN THE PRIVATE EAST INDIA TRADE.] A Petition of several merchants of London, agents for persons in the East Indies, engaged in the private East India trade, was presented and read; setting forth,

"That various parts of the British territories in India are peculiarly adapted for the cultivation of cotton wool, which, under suitable encouragement for the conveyance thereof to this country, is capable of affording a constant supply to the British manufacturers at the cheapest rate; and that, for several years past, cotton wool has actually formed a considerable article of import from British India both on account of the East India Company and private merchants, by which the resources of those territories have been improved, the shipping and navigation of Great Britain have been extended, and the demands of the manufactories for so essential a raw material have been secured at periods when the supply from other countries has been interrupted or withheld: and that, when the government of the United States of America began that system of aggression and unjust policy towards Great Britain, which has at length terminated in unprovoked war, the petitioners and their constituents were induced, by the direct encouragement of his Majesty's government, as well as by their own anticipation of the necessary result of those hostile measures which the American government had long pursued, to exert their endeavours to procure a larger importation of cotton wool from British India, in order, as much as possible, to render this country independent of the policy of a foreign enemy for an article so important to our manufactories; and that under those circumstances, the quantity of cotton imported from India, from the period of the American embargo, has amounted to 46,185,476 pounds weight, whereof 25,822,216 pounds have been consumed by our manufacturers, and the remainder, being 20,368,260 pounds is now in the Company's warehouses; and that the policy of the American government, during the period of real hostility which preceded the declaration of open war, was directed rather against the introduction of the produce and manufactures of Great Britain into the United States, than to prevent the export of articles such as cotton wool, the cultivation of which is essential to their own agriculture; hence, at a time when British manufactures were rigorously and effectually excluded from the United States, very large supplies of American cotton found their way to this country, by which the Americans were enabled to inflict upon Great Britain all the inconveniences of that commercial warfare from which they themselves were in a great measure exempted; this state of things necessarily caused a great drain of specie at a time when it was particularly required for military as well as commercial purposes; the injurious operation of these causes was clearly demonstrated by the state of the exchange between the two countries for some time prior to the

declaration of war, and might have been prevented by a seasonable retaliation of that policy on which the American Non-intercourse Act was founded; and that the consequence of the indulgence permitted to the Americans was that the British market was glutted with a supply of cotton as well from the United States as from the Brazils, the West Indies, and the British territories in India; and that the surplus quantity of Surat cotton, which was in hand on the 28th of February last, amounted to 66,119 bales, weighing about 20 millions of pounds over and above a large quantity of West India and Brazil cotton; this superabundance of supply which depressed the market below the price which could yield a fair return to the grower, was occasioned also by the accumulation which had taken place in the United States from the impediments of the Embargo and Non-intercourse Acts, and which therefore was sent by the American grower to a market at any price to prevent that total loss which would otherwise have been experienced; the effect of this glut of produce, proceeding from such causes, naturally was, that the petitioners and other holders of cotton, who would have been able to sustain the competition of American cotton brought to market at the price which in ordinary times the grower could have afforded to accept, had no opportunity of selling their commodity but at a most ruinous loss; and that the petitioners had entertained the reasonable expectation that the policy of encouraging the agriculture and resources of the United States, at a time when they were co-operating with our implacable enemy for the downfall of the commerce and prosperity of Great Britain, would have terminated with the hopes of conciliation, which, till the declaration of war, on the part of America, might have been indulged; and they flattered themselves that they would at length have been enabled to obtain for their cotton imported under the encouragement of his Majesty's government, and for the purpose of rendering the British manufacturer independent of American supply, that adequate price in which they had been disappointed by the admission allowed to the produce of the United States; and that the petitioners were not deceived in their expectations, as, in consequence of the declaration of war, on the part of the United States, the demand for East India cotton daily increased, and they had the prospect of such a price as would have afforded a fair return to the grower and importer; and that this prospect has again been checked by the arrival of a neutral vessel laden with cotton from the United States, and the opinion entertained that a supply of cotton from that country will continue to be received during the war, under the provisions of the 43d Geo. 3, cap. 153; and that the petitioners are compelled, therefore, most humbly to submit to the House the grievance and injury which must result to them, and, in their apprehension, ultimately to the whole country, should this act of parliament, passed in circumstances very different from the present, be allowed to remain in force; and that the petitioners are perfectly sensible of the importance of obtaining a supply of cotton wool at a price that shall be consistent with the prosperity of the manufactures of which it is the raw material, and that such supply ought not to be sacrificed, although incidentally our enemies might participate in the benefits of the measures by which it is secured; but they hope to satisfy the House that the interests of the British manufacturer may be effectually guarded without resorting to a system of policy which would relieve the United States from the chief pressure and inconvenience of the war they have provoked; and that the petitioners need not remind the House that great quantities of cotton are imported from the West Indies and the Brazils, for which the manufactured article constitutes the fund of payment, so that the manufacturer enjoys the advantage of extending the consumption of his manufacture by consuming in return the raw material of his customer, an advantage totally lost in the present circumstances, if a preference is given to the produce of the United States; and that the importation of cotton from India has rapidly increased under discouragements and difficulties from which it is likely to be relieved, and there can be no doubt that the quality of the article itself will be improved, and adapted to the market for which it is intended: the chief objection hitherto made by the consumer to the India cotton, arises not from any inferiority in the cotton itself, but from the manner in which it is gathered: this objection is already in a great degree obviated, and will no doubt be entirely removed, insomuch that some of the cotton lately imported from India has been found equal, if not superior, to the cotton

of the United States, while it has the peculiar recommendation of being better adapted to the manufacture of cloths intended to be printed, as more easily taking the dye; and that another objection urged against the East India cotton is, that the staple is too short, and is not so easily worked by the machinery used in this country; the petitioners are, however, informed, and ready to prove, that by a slight alteration of the machinery, which in various instances has already been adopted, and by an intermixture of Brazil cotton, this objection is entirely removed, and the India cotton can be as easily worked up as the best bowed Georgias, and, as generally happens too in such cases, the manufacturer accustomed to the article loses the prejudices he first entertained against it; and that the facilities which are likely to be obtained for the transport of the India cotton, and the improvement of the cultivation in India, will enable the importer to afford the article to the manufacturer on terms more favourable than he can obtain it from any other market; and that, on the other hand, the unrestrained admission of cotton from the United States would ultimately prove an essential injury to the manufacturer himself, by driving the competition of the Brazil and India cotton wholly from the market, and leaving the supply in the hands of the American grower without a rival; and that it is not to be expected that the petitioners or their constituents would continue to import cotton at positive loss, and the manufacturer would at last be, in a great degree, at the mercy of a foreign enemy for the raw material, and really be compelled to pay to the American grower that exorbitant price which he unjustly apprehends he may be obliged to give to the growers in the British dominions, or the territories of our allies: it is not, therefore, the interest of the manufacturers, even in that character, much less in that of members of the community at large, to encourage the industry and resources of the country with which we are engaged in a just and unavoidable war; and that independently of the interest of the manufacturers concerned in the use of cotton, which the petitioners humbly submit will be perfectly secured, the interest of the state, in a more enlarged view, will be consulted by the absolute prohibition of the importation of cotton from the United States; and that, by the encouragement of cotton from India, the capital of British subjects, or of nations under the protection of Great Britain, will be promoted, the shipping of this country will be extended, the number of its seamen for peace or for war will be augmented, while its resources will be increased by the profits on every transaction by which the supply is brought to Great Britain; and that, on the other hand, if the cotton of the United States is encouraged, the interests of British subjects are sacrificed, and the advantages thrown into the scale of our enemies, American agriculture will be cherished, American capital will, under neutral disguise, be employed in the shipping and navigation that must be required to carry on the neutral trade in American cotton, and the United States will feel little pressure from the war, whereas the exertion of that hostility against the produce of the United States which they have so long enforced against the manufactures of Great Britain can alone subject them to any serious inconvenience from war, or dispose them to thoughts of peace; and that the expectation of obtaining a vent for the manufactures of this country in return for the raw materials they furnish under neutral flags will not be realized, as it has so long been the system of the American government to prevent the consumption of British goods, in which they have succeeded, though they connived at or promoted the exportation of their own produce; and that the apprehension of the Americans directing their exertions to the manufacture of their own cotton is not justified by any rational argument of probability; the capital, skill and machinery requisite for such undertakings have not yet been formed and combined in the United States; and even admitting that they had begun to direct their attention to the manufacture of such cotton fabrics as they have hitherto been supplied with from Great Britain or her dependencies in the East, it must be evident to every one at all acquainted with the progress of manufacturing industry that it would be impossible for them before the lapse of a great number of years to produce any thing which would come in competition with our fabrics, which the experience and improvements of nearly half a century have alone enabled us to bring to their present state of excellence; and that, from the mode of payment which is proved to have prevailed hitherto, and is so likely to continue, for American produce, no returns can be made from hence except in bullion, by which the resources of the

enemy will be increased, and the commercial as well as military operations in this country will be fettered and embarrassed; and that the petitioners are ready to adduce evidence at the bar of the House that cotton in sufficient abundance, of the best quality and at reasonable prices, can be obtained without permitting the introduction of cotton the growth of the United States; and praying, that the said Act of 43 Geo. 3. cap. 153, in as far as the same authorizes the importation of cotton wool from the United States in neutral ships, may be repealed, and that the importation of cotton wool of the growth of the United States may be wholly prohibited, and, as an encouragement to the cultivation and improvement of the staple of cotton wool in the East Indies, and the importation thereof into these kingdoms, the petitioners humbly submit that such prohibition of American cotton ought to be continued for a period of not less than three years after the conclusion of a definitive treaty of peace with the United States."

Ordered to lie on the table.

Debentures and Exchequer Bills.] The House having resolved itself into a Committee of Ways and Means,

The *Chancellor of the Exchequer* rose to submit to the Committee his promised Resolutions respecting Debentures and Exchequer Bills. He began by adverting to the Resolution of the Committee on the 1st of April, permitting the holders of Exchequer Bills to subscribe to the amount of twelve millions. Not only was the whole of that sum subscribed in one day, but a great surplus subscription was tendered, which it was not possible to accept, however desirable such further subscription might have been considered. He had not, however, thought it prudent, at the time, to propose to parliament any further extension, wishing rather to await the event of that which had taken place, in order to observe the operation of it on the funds. The funds had, however, he had the satisfaction to find, remained steady. From the moment at which the original proposition for funding Exchequer Bills had been made to the present instant, there had scarcely been any fluctuation in the price of stocks. It was desirable, therefore, now to extend the funding of Exchequer Bills; and the more especially as circumstances rendered advisable the postponement, for a short period, of any negociation for a loan. The result of the important events at that moment pending on the continent would have such a material effect on the funds, that he should not think himself exercising a sound discretion, if he precipitated any bargain which, should those events terminate favourably, would be injurious to the public; and should they terminate unfavourably, would be destructive to the contractors. It appeared to him to be peculiarly desirable, that the funding should take place in the 4 per cents.; that was a stock which had not been added to in that manner for a considerable period; a circumstance that would give the public considerable advantage in now resorting to it. Adverting to the failure which had recently taken place in the subscription for Debentures, under the Resolution of the Committee also of the 1st of April, he recommended that that experiment should be repeated; although, in the late instance, only 500,000*l.* had been subscribed out of the six millions to which that Resolution referred. He should propose, therefore, to raise 3,000,000*l.* by Debentures, giving the subscribers to them (as well as the subscribers to the former Debentures) the power to fund Exchequer Bills to an amount double that of the principal sums contained in their Debentures. If subscribers for Debentures to a further sum than the 3,000,000*l.* should come forward, they would not, however, be entitled to the advantage which he had last described. The right hon. gentleman concluded by moving the following Resolutions:

1. "That towards raising the Supply granted to his Majesty, a further sum, not exceeding three millions, be raised by Debentures.

2. "That books be opened at the Bank of England on the 4th, 5th, and 6th of May 1813, and that any person be at liberty to subscribe for such debentures, and to pay a deposit of 15*l.* per cent. on such sum as he or she shall choose to subscribe on or before the 6th day of May with the chief cashier of the governor and company of the Bank of England.

3. "That every person interested in, or entitled unto, any Exchequer Bills dated between the 1st of March 1812, and the 31st of March 1813, both inclusive, who shall on either of the said days make a like deposit on such sum as he shall choose to subscribe for such debentures as aforesaid, with the said chief cashier, shall be entitled to receive from the said cashier a certificate to the paymasters of Exche-

quer Bills, which certificate shall state numerically the order in which subscriptions shall be made, and the amount thereof, and shall entitle such person or persons to deliver in such bills to the said paymasters on the 7th of May 1813, in the same order, to the amount of double the sum subscribed by such persons respectively for such debentures.

"That the several persons who applied to the paymasters of Exchequer Bills, in pursuance of a Resolution of this House, on the 1st of April 1813, to subscribe their Exchequer Bills, and receive tickets from the said paymasters, but who were not then permitted to subscribe the same, in consequence of the sum proposed to be funded at that time having been completed, be also permitted, on production of the said tickets, to deliver in to the said paymasters on the 8th of May 1813, Exchequer Bills of the descriptions before mentioned, not exceeding the amount then specified.

"That the several holders of debentures, or receipts for debentures, subscribed for under the Resolutions of this House of the 1st of April 1813, be also permitted to deliver in to the paymasters of Exchequer Bills, on the 8th of May 1813, Exchequer Bills of the descriptions before mentioned, to double the amount of the principal sums contained in such debentures or receipts.

"That in case Exchequer Bills, to the amount of six millions, shall not be delivered in by the different descriptions of persons before mentioned to the paymasters of Exchequer Bills, any other person or persons shall and may be at liberty to deliver to the said paymasters, on the 11th of May 1813, bills of the descriptions before mentioned, to complete the said sum of six millions.

"That every such person or persons so delivering in Exchequer Bills as aforesaid, shall have in exchange for the same, from the paymasters of Exchequer Bills, a certificate or certificates to the governor and company of the Bank of England, expressing the principal sum contained in such bills, which certificate or certificates shall entitle such person or persons, for every 100*l.* principal money contained therein, to the sum of 139*l.* capital stock in annuities, after the rate of 4*l.* per cent. per annum, to commence from the 5th of April 1813, and to be added to, and made one joint stock with, the 4*l.* per cent. annuities consolidated by the Acts of the 20th and 21st years of his present Majesty, and by several subsequent Acts, and to be payable and transferrable at the Bank of England at the same time and in the same manner, and subject to the like redemption as the said 4*l.* per cent. annuities, and the interest on the Exchequer Bills to be delivered in as aforesaid, shall be paid in money to the 20th day of May 1813.

"That every such contributor for debentures shall, on or before the 6th of May 1813, make a deposit of 15*l.* per cent. with the chief cashier of the governor and company of the Bank of England, as a security for making the future payments on or before the days or times hereinafter mentioned, (that is to say,) 15*l.* per cent. on or before the 21st of this instant May; 15*l.* per cent. on or before the 18th of June; 20*l.* per cent. on or before the 16th of July; 15*l.* per cent. on or before the 27th of August; 10*l.* per cent. on or before the 24th of September; and 10*l.* per cent. on or before the 29th of October next.

"That every such contributor who shall pay in the whole of his or her contribution money at any time on or before the 23d of September 1813, shall be allowed an interest by way of discount, after the rate of 4*l* per cent. per annum, on the sum so advanced for completing his or her contribution respectively, to be computed from the day of completing the same to the 29th of October 1813.

"That every such contributor, as well as the several persons who have subscribed for debentures pursuant to the said Resolution of this House, of the first of April 1813, shall, for every 100*l.* contributed and paid, be entitled to a debenture of 100*l.*, to be dated on the 5th of April 1813, transferable by endorsement, bearing interest at the rate of 5*l.* per cent. per annum, payable half-yearly at the Bank of England, on the 5th day of April and the 10th of October, the principal sums contained in such debentures to be payable in money on the 5th of April 1815, or on the 5th of April in any succeeding year during the continuance of the war, when the interest will cease, on the parties entitled thereto giving three months notice in writing to the governor and company of the Bank of England of their intention to receive the same, or shall be paid off in money on the 5th of April next succeeding twelve months after the ratification of a definitive treaty of peace; but the holders of such debentures shall, in either case, have the option

at the 5th of April or the 10th of October in any year, until the same shall be payable, according to the said Resolution of this House (on giving fourteen days notice in writing as aforesaid) to receive for each 100*l.* principal money, contained in such debentures, either 100*l.* capital stock in annuities, after the rate of 5*l.* per cent. per annum, to be added to and made one joint stock, with the 5*l.* per cent. annuities, created by Acts made in the 24th and 25th years of his present Majesty, and several subsequent Acts for granting annuities to satisfy certain navy, victualling, transport bills, ordnance debentures, and Exchequer bills, or 120*l.* capital stock in annuities, after the rate of 4*l.* per cent. per annum, to be added to and made one joint stock, with the said 4*l.* per cent. annuities, or 150*l.* capital stock in annuities, after the rate of 3*l.* per cent. per annum, to be added to and made one joint stock with certain annuities, after the rate of 3*l.* per cent. per annum, which were reduced from 4*l.* to 3*l.* per cent. by an Act made in the 23rd year of his late majesty, and to be payable and transferrable at the Bank of England, at the same time, and in the same manner, and subject to the like redemption as the said 3*l.* per cent. reduced annuities.

"That the interest on the said 4*l.* per cent. annuities, and on the said 3*l.* per cent. annuities, shall commence from the 5th of April, or the 10th of October, when such debentures shall be converted into stock as aforesaid, and the interest, on the said 5*l.* per cent. annuities, from the 5th of January, or the 5th of July preceding."

The said Resolutions were agreed to.

ADMIRALTY REGISTRAR'S BILL.] The House went into a Committee on the Bill for regulating the office of Registrar of the High Court of Admiralty and High Court of Appeals for Prizes. In the committee, Mr. H. Martin moved some amendments. He wished to know if it was intended to discuss the question then, or on the Report.

Sir *S. Romilly* said, the Bill proceeded on the ground of great abuses in this office injurious to suitors, and prejudicial to the course of public justice. Two years ago, a Bill on this matter was brought in, and the then Chancellor of the Exchequer, (the late Mr. Perceval) though a reversionist of the Registrarship, considered it proper to reform the office, the sums placed in the hands of the officer being immense. It was inconsistent to postpone the discussion to a late stage of the Bill. He was sorry to see the very little interest taken by the House in this Bill, and the other, which his hon. and learned friend (Mr. H. Martin) had, so much to his own credit, brought forward,* and which tended to produce so material an effect in ameliorating the administration of justice.

Mr. *Rose* objected to the Bill, on the ground that the money in the hand of the Registrar was of a very trifling amount. It consisted principally in the proceeds of vessels adjudicated abroad in the vice admiralty courts, pending appeals to the High Court of Admiralty here. He (Mr. Rose) had found it his duty, in 1809, to write to the King's proctor, directing him to vest the money so transmitted in Exchequer bills, for the benefit of the parties; and he understood that the money in question was so vested, or in navy 5 per cents. If the money were lodged in the Bank as was proposed by this measure, it would not be so accessible to suitors as it was at present.

Mr. *H. Martin* said his reasons for the measure were not founded on chimerical apprehensions, but on printed documents which had been laid upon the table. By the Report made in pursuance of his first motion, it appeared that lord Arden cleared 7,000*l.* a year from these monies, in the same way that he averaged 13,000*l.* a year in other branches. He had desired returns of suitors' monies in the Registrar's hands, stating how much went to the Registrar, beginning the account in 1793: but great difficulties being started, certain periods were taken. At first the money in hand was 5,500*l.* next year it rose to 11,500*l.* in 1795 to 179,000*l.*; in 1801 to 296,435*l.* on the 1st of April, 1809, the balance was 180,282*l.* Mr. Jenner (since dead) who was examined, stated, that the Registrar took for himself what he thought proper. When the deputy stated this, and when lord Arden admitted the 7,000*l.* a year, was it not presumable that the latter took the sum for his own benefit? That officer at present, he believed, had about 207,000*l.* in hand. Was this a trifling sum, after all the admirable regulations of the right hon. gentleman's letter? Mr. Jenner could not precisely tell the average during the war, but said it was seldom less than 200,000*l.* To make up his profits, the Registrar had, on two separate occasions, taken 40,000*l.* and 20,000*l.* so that he had received less, it would appear,

for some prior years. He thought the right hon. member, from his proverbial accuracy, would have been well-informed on these points. An account stated lord Arden to hold, on the 14th of February, 1812, 146,000*l.* and on January 12, 1813, 182,000*l.* in Exchequer bills. Could any gentleman rest satisfied with the right hon. member's regulations, after seeing this result? Another paper stated these sums not to be the result of merely short litigations. In the Registrar's office there were also various small sums, some under 100*l.* unclaimed, but making in the whole a large sum. He understood they were not included in the return. They were not likely to get out of court, where some of them had been since 1777; they amounted to above 95,000*l.* The principle on which this office was regulated was objectionable, and it was desirable to give the navy the benefit of these unclaimed monies after a certain period.

Mr. *Rose* said, there was little of that last sum that might not be claimed at any time.

The Report was ordered to be received on Friday.

Apprentices.] Mr. *Rose* adverted to the Petition he presented the other day, which was signed by above 800 masters and 15,000 journeymen in London; and by 1,154 masters and 17,517 journeymen in the country; making above 32,000 in all. The policy of the system began in Edward the 3d. Some had doubted the effects of the law, deemed all restrictions injurious to commerce: others considered the want of restrictions more dangerous, and contended that the present system had encouraged habits of industry. The courts had, in general, narrowed the spirit and application of the restrictions. He thought that if the existing law was not to be enforced, it ought to be amended or repealed. A petition signed by such a number of tradesmen, was deserving the most attentive consideration. He should therefore move, that the Petition be referred to a committee.

Mr. Serjeant *Onslow* allowed that the number of signatures to the petition entitled it to a respectful consideration. As to the allegations of the petition, he thought it very extraordinary that the petitioners should really expect that parliament would allow them to bring actions upon this statute, against whom they pleased, well founded or ill-founded, without being subject to costs in case of failure. From his experience in a certain judicial situation, he could say, and he believed he might appeal to all his professional friends about him, for the confirmation of his statement, that he never knew any indictment brought under this statute except against a person of great skill and acquirements. The preamble of the Act stated its object to be "to prevent the introduction of unskilful workmen:" and yet no indictments were ever brought against unskilful workmen, but only against very skilful and ingenious men. This shewed pretty clearly the spirit in which such prosecutions were brought.

Mr. *D. Giddy* said, that he should not vote for the committee, if he did not think it likely, that the resolution they would come to would be directly contrary to that which was expected by the petitioners. He certainly did entertain great doubts, whether in the present state of the commercial world, there was any use in those apprenticeships, although they might have been necessary in the infancy of commerce. It frequently happened, that a young man had not a talent for the particular business to which he had been bound an apprentice, and was yet possessed of other talents, by the exercise of which he might obtain a most respectable subsistence. It appeared to him a cruel hardship to fetter the minds and limbs of men, so as to prevent their obtaining a subsistence by the fair exercise of their talents and of their limbs. As to what was said of corporate rights, obtained by apprenticeship, he thought that made it the less necessary to add penalties. If those corporate rights, however, were to be considered of real value, he thought it a great hardship that they could not be obtained in any other way than by serving an apprenticeship.

Mr. *Butterworth* also felt inclined to disapprove of the Act, as highly injurious to trade in general, and to rising talents. In illustration of the hardship of the Act, and of the manner in which it was generally enforced, he mentioned a case which had come within his own immediate observation. In an office of which he had the command, there was a young man of great skill, and consequently of great value to his employers; he, however, had not served the regular apprenticeship, and his fellow workmen therefore combined against him, demanding his discharge. He (Mr. B.) interfered in behalf of the young man,

but in vain; for the conspiracy amongst the workmen attained that height that their request was obliged to be complied with. The young man was discharged, and though skilful in that particular trade, he had been compelled to sell the furniture, the produce of his industry, to support a wife and family, who were dependent on him for support. He did not oppose the committee, because he was convinced that the determination would be in favour of the repeal of the 5th of Elizabeth.

The Petition was then referred to a committee.

State of the War and of our Foreign Relations.] Mr. *Ponsonby* said, he had wished to put some questions to the noble lord, the Secretary of State for Foreign Affairs, respecting the state of the war and our foreign engagements; but as that noble lord was not in his place, he did not wish to put those questions to any other member of the government, particularly during the noble lord's absence; and he therefore gave notice, that on the bringing up the Report of the Committee of Ways and Means, respecting the Chancellor of the Exchequer's proposition for funding Exchequer bills, he should make some observations relative to the subjects to which he had alluded. On the bringing up of such Report, he therefore now stated, in order that it might not be said that he was taking the House by surprise, that he did not intend to confine himself to the items of the Report, but that he should then make those observations which he wished to refer to the foreign secretary, and which might hereafter be made the basis of a motion by some other member of the House, though he had no intention of proposing any motion on the subject.

HOUSE OF COMMONS.

Tuesday, May 4.

County Records Bill.] Mr. Holme Sumner moved that the House do go into a committee on the Bill for the better preservation of County Records.

Mr. *Western* thought that no sufficient reason had been assigned for the Bill. It authorised the bench of magistrates to order the erection of buildings in every county for depositing of records, and thus went to impose a considerable addition on the county rates, which were already so heavy. The purses of the people should not be entrusted in the hands of the bench of magistrates.

Mr. *Holme Sumner* thought the measure was called for by the insecurity in which the county records were generally placed at present. These records were of the greatest importance to the property and character of individuals, and ought not to remain exposed to every accident in the private dwellings of the clerks of the peace.

The House then went into the committee, in which some discussion took place on several of the clauses.

Sir *S. Romilly* then proposed an additional clause, requiring the clerk of the peace to transmit to the office of the Secretary of State for the Home Department, an annual list of all offenders tried at the quarter sessions, distinguishing the acquittals and convictions. He had also to observe, that at the quarter sessions, every prisoner on his acquittal was obliged to pay a fee to the clerk of the peace; and there were fees also if he pleaded not guilty. This was an evil which had been complained of for years, and it was surely enough that an innocent man should have borne the disgrace attending imprisonment and criminal charge, without also being compelled to pay a fee for an acquittal to which in bare justice he was entitled. With regard to the other case, he had known instances in trifling misdemeanours, where the counsel had recommended to the prisoner to plead guilty to avoid paying the fee, as it was better to pay a fine of one shilling, than a fee of five pounds on pleading not guilty. In Ireland those fees on acquittal had been abolished, as far as related to the prisoner, but in their stead the clerks of the peace there recovered the amount of them by presentments on the county. In one year, in the county of Antrim alone, these fees amounted to no less than 150*l.*; and if the prisoner were exempted, still it must be allowed that this mode of repayment might lead to abuses and jobs. He should therefore propose that no clerk of the peace, hereafter to be appointed, shall be entitled to demand any fee on the acquittal of a prisoner, or on his pleading not guilty.

Mr. *H. Sumner* approved of the principle of the clauses proposed by the hon. and learned gentleman, but thought they would be misplaced in a Bill, the object of which was only to secure the preservation of County Records.

Mr. *Addington* did not believe that these side-wind clauses would be effectual, if they did not likewise apply to the clerk of assize.

Sir *S. Romilly* animadverted upon the conduct of certain gentlemen who seemed now so anxious for separate general enactments to accomplish a desirable object, but refused their support to any such Bills, when he had frequently, in vain, tried the experiment. It was now suggested that the clause should also be imperative upon the clerk of assize; whereas, when he before called for returns such as those he was now solicitous to obtain, the answer was, that the difficulty only lay with the clerks of the peace, but that the clerks of assize were able and willing to comply. It was scandalous that the abuse should longer be continued, that an innocent man, before he was admitted to prove his innocence, was to be compelled to pay 8*l.* or 9*l.* to the clerk of the peace; and after his acquital a further considerable extortion. Instances were not wanting where a poor man had pleaded guilty to a charge, because he was unable to pay the expence of establishing his innocence.

After a desultory conversation of some length, in which Mr. Bathurst, colonel Barry, sir F. Flood, Mr. Addington, and Mr. Herbert of Kerry took a part, a division took place upon sir Samuel Romilly's proposition; Ayes 40—Noes 45. A second division followed soon afterwards, upon another proposition from the hon. and learned gentleman relative to the mode of proceeding at quarter sessions; Ayes 42—Noes 56. The House resumed, and the Report was ordered to be brought up to morrow.

STATE OF THE WAR AND OF OUR FOREIGN RELATIONS.] Mr. Lushington brought up the Report of the Committee of Ways and Means: and on the motion that the Resolutions be read,

Mr. *Ponsonby* rose, he said, not with any view to oppose the motion, or to resist the grant of any supplies which ministers might think proper to require. Indeed, he felt no disposition, at present, to object to any proposition of this nature, which the House might be called upon to adopt, because he considered the present, of all the other years of the war, that in which this country should be particularly ready to make great exertions. But in consequence of certain papers, which had been laid before the House, and of various publications which had gone forth respecting events that had notoriously taken place, he thought it necessary to submit a few observations, which he should have offered last night, if the noble lord, the Secretary for Foreign Affairs, had been present. He observed, that out of the grant of three millions, recently voted to government, 3 or 400,000*l.* had been advanced to Sweden. He believed he was accurate in this statement; at least, he was anxious to be so, and the noble lord might correct him if he were not. He observed also, that the minister of Denmark had withdrawn from this country. Now it was stated in several publications, which were open to all, and generally mentioned in conversation, that the advance to Sweden, and the Danish minister's departure, was the consequence of some engagement entered into by the government of this country, very much in favour of Sweden, and disadvantageous to Denmark. If the nature of this engagement were such as to render any public disclosure of it in that House imprudent, and that the noble lord (Castlereagh) should say so, he would rest perfectly satisfied. But he thought it due to the noble lord himself, and to his colleagues, to afford them an opportunity for explanation, if they thought proper to make any, with regard to such an engagement as, if correctly represented, might be extremely injurious to the present interest of this country, and highly embarrassing on the ultimate settlement of the affairs of Europe, in the event of any peace likely to lead to such a settlement. He remarked that, notwithstanding the advance made to Sweden, no exertion had been made by that government in support of the cause of the allies, unless it was deemed an exertion to send some troops to occupy her own old territory of Pomerania; and yet it was said that Russia had, with the concurrence and sanction of this country, agreed to guarantee to Sweden the possession of Norway, as the reward of her exertions in the common cause. He did not mean to say that Sweden should not be permitted to acquire the possession of Norway if she could, nor that ministers should not afford all the aid in their power to Sweden, in the pursuit of that acquisition, for this country was at war with Denmark; but with a view to considerations of comprehensive general policy, and the particular inte-

rests of England, he could not hesitate to question the propriety of any such guarantee as that alluded to. It was for the noble lord to say, whether this country was so committed. But if the noble lord in the exercise of his discretion thought proper to say nothing—if he were entirely silent upon the subject—he (Mr. P.) should rest contented; for although he could not approve of the construction or conduct of the present administration, yet he should place such confidence in them as he felt could not fairly be refused to them, and as he therefore would be ready to repose in any set of men entrusted with the power of administering the government of the country, which confidence would naturally forbid the demand of any disclosure likely to be injurious to the public interest. But in declining to press at present for any disclosure which the noble lord might deem inexpedient, he would not be understood to acquiesce in such a proceeding as general report attributed to ministers, or precluded from taking such measures as his sense of public interest, and of the nature or tendency of that proceeding, might, at any future period, appear to require.

Lord *Castlereagh*, in answer to the right hon. gentleman who had said that he would not press for any communication on the subject alluded to by him, if he should be given to understand that it would be attended with public injury, had no hesitation in stating, that though he should be always ready to give every information to the House compatible with his public duty, at the present moment he felt that he could not give any satisfactory information to the House or the right hon. gentleman, as any disclosure upon the subject would be inconsistent with the relations in which this country stood with other courts of Europe, whose interests might be affected by it. But although he could not give the information wanted at the present moment, he had no hesitation in saying, that Denmark had made claims upon this country which ought to be laid before the public when this could be done without any prejudice to the public service. As explanation on this subject might be given at a future period, he should be exceedingly glad not to be called on for any at the present moment.

Mr. *Ponsonby* expressed himself satisfied with the answer of the noble lord; but while he said this he expected that no time, more than what was absolutely necessary, would be lost in making known to parliament the matters to which he had alluded; for he was convinced that it was absolutely necessary that they should be explained to parliament.

HOUSE OF COMMONS.

Wednesday, May 5.

CONDUCT OF CAPTAIN PHILLIMORE.] Sir *Francis Burdett* rose pursuant to notice, and observed, that he felt it impossible that justice could be done to the public, to the navy, or to captain Phillimore himself, if the Minutes of the Court of Enquiry recently held, respecting the conduct of that officer towards Mr. Hancock, were not laid before the House. He should be sorry if it were understood that he was willing to bring forward any proposition calculated in any degree to countenance insubordination, or to interfere with the discipline so essential to be maintained in any armed body, and particularly in the navy; but at the same time he thought it due to public justice, and to the interests of discipline itself, which could only be sustained upon the principles of justice, to bring before that House and the country any instance of cruelty and injustice which came to his knowledge. This duty he had endeavoured, and should continue to perform, certainly, from no other motive than a solicitude for justice. In the case under consideration he could, indeed, have been actuated by no personal motive, for he knew nothing of the parties at the time he had brought it forward; but since then he had learned (and the statement formed a peculiarly agreeable part of his duty) that from general enquiry, the result was most satisfactory to the general reputation of captain Phillimore, whose reputation, however, must still appear in a questioned shape, if the Minutes of the recent enquiry respecting him should not be laid before the House. From the general enquiry alluded to, he had collected that the character of captain Phillimore stood as high as an officer and a man, as any one belonging to his profession, while the enquiry was by no means favourable to the alleged sufferer. Except in this unexplained point of his severity to Hancock, which might however be justified by the papers he called for, there did not exist a man of higher reputation. It was not necessary for him to say any thing of the opposite result of his enquiries into the character of the com-

plainant. But the present was not a question between the merits of two individuals, nor one in which the character of either, whether good or otherwise, should weigh with the House. It was a question merely upon a single fact, and with the decision upon that fact general character had nothing to do. It was the case of the whole navy, and it was obvious that after being brought into public notice, a necessity existed for its being thoroughly investigated. It was his duty to read to the House some of the honourable testimonies he had received to the character of captain Phillimore, not only for other qualifications, but for possessing the utmost humanity and kindness. —Here the hon. baronet referred to documents which he had received from persons entitled to particular attention, bearing testimony to the general humanity of captain Phillimore, and which documents he conceived it his duty to read to the House. These documents he read accordingly. They consisted of the declaration from the officers and crew of the Diadem, and the letter of the captain who succeeded captain Phillimore in the command of that vessel. These, the hon. baronet observed, were testimonials in favour of captain Phillimore, which were certainly creditable to both parties.—But they left the essential fact uncontradicted, and wholly unaffected, namely, that Hancock, a master's mate, of the age of twenty two, who had lost a leg at the battle of Trafalgar, had had a kind of punishment inflicted upon him, by captain Phillimore, which it appeared to his mind impossible to justify. If, however, any justification could be adduced, no one would be more happy to hear it than he himself. For he declared, that although he could not help condemning the extraordinary, and, in his opinion, the severe punishment which Hancock had suffered, yet it would be satisfactory to him to find, that some peculiar circumstances rendered such a punishment indispensibly necessary, and so to make the case correspond with the general character of captain Phillimore, which he was assured to be very meritorious, in the estimation of many persons whose opinion he respected, not only from a consideration of their professional skill, but from their personal knowledge and opportunities of observation with regard to the conduct of that officer. Nothing, therefore, could be more agreeable to his mind than the complete justification of such an officer. With respect then to the motion which he was about to submit to the House, it appeared essential to that justification that it should be acceded to, and he was at a loss to imagine upon what grounds it could be resisted. The naked fact was before the public, that captain Phillimore was accused of treating a master's mate in a very cruel and disgraceful manner, and that a court of enquiry, consisting of three officers, had been held upon his conduct. It seemed to him then impossible to justify captain Phillimore, unless the Minutes of that court were laid before the House. For himself, he was free to declare, that he did not approve of the construction of this court, or of any tribunal of a similar nature. Such commissions of secret enquiry he should not indeed hesitate to pronounce wholly unconstitutional, and repugnant to the principles of justice, for while they could not wholly acquit or legally convict any individual, they might serve to cast a slur and calumny upon innocence, or to screen guilt. No possible injury could result from granting his motion, on the contrary much good might ensue from looking into the proceedings of tribunals of this kind. The hon. baronet concluded with proposing his motion, "That the Minutes of the Court of Enquiry held upon captain Phillimore, in consequence of his conduct to Mr. Hancock, of the Diadem, be laid before the House."

On the motion being put into the Speaker's hand he asked who seconded it; to which no answer being made he repeated the question; when,

Mr. *Lyttleton* rose and observed, that he felt no small difficulty how to act upon this occasion, for if the motion were not seconded he should have no opportunity to state his sentiments upon the subject, which he was anxious to do, and therefore he was induced to second the motion. He was anxious to bear his personal testimony to the conduct and character of his gallant friend captain Phillimore, whom he had the honour of knowing, and that testimony he should have unreservedly offered had he been present when the hon. baronet first brought forward his vague accusations against that respectable officer. He was indeed most desirous of stating how entirely he disapproved of the general tendency and nature of the hon. baronet's proceedings in this affair. This he would not have missed the opportunity of doing, had he been in the House when the hon. baronet before

threw out his vague and loose accusations. That the motion of the hon. baronet would be rejected by the House, he thought it no presumption to anticipate, and he should approve of that rejection. In so approving, however, he was not influenced by any apprehension for the character of captain Phillimore—nor should he, indeed, have felt any such apprehension for that character, were the former statements of the hon. baronet to go wholly uncontradicted, at least wherever captain Phillimore was known. Were that knowledge to accompany the assertions of an interested witness, and the animadversions of the hon. baronet, for whose veracity, however, he had the highest respect, although for his judgment in this case he had no respect at all, he could not apprehend that captain Phillimore's reputation would suffer any injury. But as that reputation had been brought into discussion, he (Mr. L.) felt it due to truth and justice to state, that having been about three years ago for some time on board that officer's ship, and having also had an opportunity of closely observing his conduct, he thought him remarkable for humanity, and that his disposition was peculiarly adverse to any degree of that corporal punishment which the hon. baronet was so forward to reprobate, that indeed, his endeavour was rather to correct by means of shame or ridicule than by the infliction of any punishment whatever. His general character was lenient in the extreme, and never was there an officer more justly beloved by those under his command. He (Mr. L.) had had opportunities of being in other king's ships, and from every observation he had made, the result of his conviction was that captain Phillimore was slow to inflict punishment of any kind, and decidedly the enemy to cruelty or severity. Having said so much as to this meritorious officer, he thought it proper as to the motion to observe, that if it were acceded to it was likely to establish a precedent for motions to produce the minutes of courts enquiry and courts martial, of which it would be difficult to see the end, but easy to see the consequences. He had himself no doubt felt it his duty to move in that House for the production of the minutes of a military court, but his motion was made after the most attentive and ample enquiry, and certainly not grounded upon the single assertion of an interested witness. With respect to such orations as the present, he thought it impossible that they could be acceded to unless some grounds were laid *à priori*, which had not been done by the hon. baronet, for doubting the propriety of the decision wished to be disturbed and brought under the consideration of parliament. He would therefore for general reasons refuse his vote to the proposition of the hon. baronet, whose motion though he seconded, he could by no means approve.

Mr. *William Dundas* expressed his accordance with the sentiments of the hon. gentleman who had just sat down, and bore testimony equally warm and honourable to the high character of captain Phillimore. He begged to recall the attention of the House to the whole circumstances of the case, and then to ask them if they could possibly agree to the motion of the hon. baronet, who seemed to have set his face against all discipline, and to think it necessary on the incompetent grounds he had laid before them in support of his allegations, to review the sentence pronounced by three officers of the most distinguished reputation and unimpeachable character. He highly disapproved of thus calling the name of any individuals into question upon grounds so loose and unsatisfactory.

Mr. *Dickinson* spoke on the same side. The case of Hancock was this; after a long course of mutiny and misconduct, which would have incensed any officer to have punished him repeatedly, and with the utmost severity, he was, through the humanity of captain Phillimore, on one occasion of extreme offence flogged like a boy below, instead of being punished on the quarter deck, which would have been a stain upon him for life. This was done without reference to his actual age, and he had to observe that Hancock was a very young looking person, with more the appearance of a boy, than of the age of 22. There was then nothing in this case which called for the interference of parliament. But what was the nature of such motions as these, and what did they produce? He knew the answer given to captains in the navy, if they ordered punishment to be inflicted—they were told, "if you venture to punish me, I will apply to sir Francis Burdett." Let the House then reflect on what the condition of captains of the navy would be if they listened to such propositions—if they did not set their face decidedly against them. They were always told of cruelties and oppressions, but he would say to the hon. baronet, that they who in-

flicted cruelties were those who upheld the lower orders against the higher, both in and out of that House—those who dinned it into the ear of the public, that we were a flogged nation. The hon. baronet himself, not in one of his oratorical flourishes, but in his deliberate democratical letter to the meeting at Westminster, where he told them that he had a pleasure in doing his duty there, but none in the House of Commons, shewed himself to be one of those persons guilty of cruelties. The annals of democracy furnished no greater adulation to the lowest passions than this conduct of the hon. baronet. The duke of Orleans, whose fortune might enable him to promote such feelings, even more than the ample fortune of the hon. baronet, could not have been guilty of a grosser instance than this. But the hon. baronet's tone was now somewhat different from what it had been when he first brought forward this business, avowedly as he said for the purpose of putting a bar to captain Phillimore's promotion upon loose, or as he himself chose to call it, casual information. It was exactly of a kind with the charge relative to Ilchester gaol, not a word of which was true. After his accusations on this point had been disseminated, he had applied to the hon. baronet to know when he would bring the charge to the test, but was put off like a dun from day to day with "call to-morrow," till at length to fix the hon. baronet to something explicit, he had been obliged to put questions to him upon the subject in the House. The hon. baronet assured him that all he had alleged was true; he then asked him if the loaf was true? And was answered that the loaf was not true, when the story of the loaf was the whole jet of the case. After further reprobating the slight grounds on which the hon. baronet called the characters of men into question, he concluded by expressing his utmost dissent to the motion.

Mr. *Croker* said the hon. baronet's assertions often surprised him, but he was never more astonished at the boldness of any than when the hon. baronet said he could not guess on what grounds his motion this night could be resisted. Why! the objections now were the same as those which had induced him on a former occasion to solicit the House to allow him to withdraw his motion. The only differences which had since arisen consisted in these two points, that the honourable baronet had become convinced of the admirable character of captain Phillimore, and of the opposite character of his accuser, of whom on a former night he had spoken as if the charge was to be a bar for ever to his professional progress, while he described Hancock as a gentleman, the companion of Nelson, and an honourable character. Now, indeed, the hon. baronet came down with a milk and water speech, seeming, as it were, for the purpose of conciliating captain Phillimore, whom he had before so loudly accused; and aware of these facts, it did require more firmness than he had supposed the hon. baronet master of, to say, that he could not guess the grounds on which his motion could be opposed. If he came down with his accusation before under an alarm lest captain Phillimore should, as he had heard, be appointed to a ship, why should he think that the same reasons for refusing him did not exist now? As for Hancock's case, he would not enter upon it. This "fine young man," as the hon. baronet described him, was the most incorrigible and disgraceful person ever suffered on board a ship; and all the captains averred, that they had only been prevented from severely punishing his gross misconduct from the consideration of his having lost his leg. He should not long remain a disgrace to his Majesty's service, as he was always mutinous and turbulent, and his mutiny and turbulence had increased since this business was stirred, because sir F. Burdett, he said, would carry on his cause. On a former night the hon. baronet had stated the alarm that he felt at hearing that captain Phillimore was likely to be promoted in his profession, and now he had discovered that no man was more worthy of promotion. The testimonials of every captain with whom Hancock had sailed, stated his conduct to be almost incorrigible, and highly disgraceful to the service, of which he would probably not long be a member. He had also the pleasure to inform the hon. baronet, that captain Phillimore had been yesterday appointed to one of the finest frigates in the navy; and such was the character of Hancock, that captain Phillimore would not take him, and no other captain would. He expressed his determination not to suffer the hon. bart. to withdraw his motion, as he had on a former occasion. He trusted the House would put its seal upon such motions, and if the forms of parliament admitted of a stronger mode of signifying their reprehension of them, he would propose it.

Mr. *Swan* detailed to the House a number of instances of gross misbehaviour and misconduct on the part of Hancock, since this business was originated, and observed, that if such persons and such complaints were countenanced, so subversive must it be to all discipline, that no officers could submit to it, and the hon. baronet himself must in future have the naming of captains to the navy.

Lord *Cochrane* spoke highly in praise of the humanity of captain Phillimore, whose ship afforded the only example he knew in the navy of discipline being preserved without having recourse to corporal punishment. He was against the motion, as if the documents were produced they would not furnish the House with information wanted, or lead to any judgment on the merits of the case. He condemned the institution of courts of enquiry, which were new to the navy, and which somewhat resembled the Inquisition. He did not think that minutes taken in such a manner, where the members of the court were not sworn, and where the answers were not upon oath, could enable that House to form any judgment of the case; but though he disapproved of these tribunals, it did not follow that he would attack the conduct of captain Phillimore, a most deserving, able, and amiable man, who had often supplied this very Hancock with money for his support, without the prospect of a return.

Captain *Beresford* defended the mode of proceeding by courts of inquiry, which were common in the army and indispensable in the navy. They resembled grand juries, to inquire into facts, in order to ascertain if there were grounds for a court martial, and the noble lord must know well that the service would be impeded beyond measure, were such courts to be granted on every frivolous charge brought forward. He pointedly condemned the language of the noble lord in comparing the verdict of three honourable officers with the course of trial pursued by the Inquisition.

Mr. *Wynn* said, an inquiry of this sort, if acceded to, would affect the safety of the service generally, and render parliament odious. No one denied that parliament was supreme in all appeals where grievances were complained of; but what had been their security in this? That these appeals were not lightly made, but on the severest inquiry of their movers, and upon ascertaining that the parties had failed of obtaining redress from any other competent tribunal. Then, indeed, parliament was, as it ought to be, their last resort. But what was the case here? The noble lord and the hon. baronet condemned the mode of proceeding by courts of inquiry, although they must know that if courts martial were resorted to on every occasion, the utmost evil must result to the service. If such appeals were to be brought forward on loose and vague information, on the authority of the persons punished alone, or on similar grounds, parliament would be placed in a most unpleasant situation. If they refused to enter into the case, they were told of the necessity of fully clearing the whole matter which had been brought into public notice, but the person who so brought them ought to recollect, it was his own doing which created this necessity. He recommended to the hon. baronet, to make more enquiry into his facts hereafter, in any case he might think it right to move in parliament; and also to give notice of his intentions to the persons concerned, that they might in some way be prepared to meet the charge, and not be condemned to have an erroneous impression of their character sent forth for a week uncontradicted, before they had an opportunity of doing justice to themselves, or soothing their wounded feelings by publishing the truth.

Mr. *Croker*, in explanation, stated that the court of inquiry had been granted at the application of Hancock entirely at his own request, in order to ascertain if a court martial was necessary.

Sir *F. Burdett* replied. He said, there seemed to be a general, he would not say a wilful, misconception of his motion; and he contradicted in the fullest terms, the account given of his former proceedings by the hon. Secretary of the Admiralty. He was unfairly and untruly represented as having assumed a different tone. That gentleman had chosen to throw out an unworthy insinuation, that it was merely because he had since heard of the bad character of Hancock, and the good character of captain Phillimore, that he had found it necessary to change his language. His charges had been called by an hon. gentleman (Mr. Lyttleton) vague charges. He denied that he had gone on loose and vague information. Whatever the nature of his charge was, it was not vague, but specific. It was, that an officer of the navy was, *proh pudor!* flogged—his breeches pulled down—and

flogged on the breech. The general merits of captain Phillimore, or the character of Mr. Hancock, had nothing to do in this case. In one part of his original statement he had been in error—he was wrong in stating (as he had been informed) that Mr. Hancock was a gentleman born. He was the son of humbler parents; he believed of a common sailor. But this proved that his former conduct must have been good, to raise him from this station to an officer's uniform. It was not, however, Mr. Hancock for whom he stood forward. He here vindicated the navy of England, and the naval uniform. Unusual punishments were always suspicious, and on the face of this case required investigation. The House granted power, and they ought to see that it was not abused. An hon. and learned gentleman (Mr. Wynn) had gravely advised him to enquire into the facts before he brought individual cases for the consideration of that House. As for the facts, he had enquired into them, and found them substantially true. No one disputed them, and he re-asserted them. The only question was, whether or no they could be justified. Upon the whole, no good reason had been advanced for refusing to agree to his motion. One hon. member had objected to Mr. Hancock's declaration, that he would have justice done him by a member of parliament. For his own part he thought the sentiment contained in such an expression by no means unconstitutional; and setting aside the little childishness of his having mentioned his (sir F. B.'s) name, it met with his approbation, and at any rate could not be made an argument against the motion. Another gentleman had charged him with proceeding upon the evidence of Hancock, whom he called an interested witness; but was not every person who complained of robbery or any other injury, also an interested witness? Another hon. gentleman (Mr. Dickinson) could not really suppose that he had any object in stating a circumstance which was incorrect, about the gaol at Ilchester, and might easily conceive that at a time when there were petitions respecting different prisons, a mistake might have occurred in applying to one what had been stated of another.—The right hon. Secretary to the Admiralty had been pleased to misrepresent two of his expressions: the first was respecting the character of Mr. Hancock. The hon. gentleman had said, that he (sir F. Burdett) had stated that the character of Mr. Hancock was one of high honour; but he had never used such an expression, nor any other which could bear such construction. The other misrepresentation was, that the right hon. gentleman had said that he had called Mr. Hancock the companion of Nelson; whereas he had only said, that he was a gallant officer, not meaning to say that he was more the companion of lord Nelson than any other seaman in the fleet. The same right hon. gentleman seemed to taunt him for having withdrawn his motion on a former day.—He now wished to say, that his reason for doing so was, that on the day when he formerly intended to have made the motion, he found in the House only about half a dozen lords of the Treasury, and a few other members upon the ministerial benches; and with such an attendance he could scarcely entertain hopes of success, for he was desirous of bringing the motion forward before a full House. Those gentlemen who seemed to sympathise with captain Phillimore on that day, had not displayed any sympathy on a former occasion, when they kept that officer in hot water for two years, with a court martial hanging over his head, which, after all, did not take place, and who had superseded him in the command of his ship. If every thing was so very smooth as was represented, how did it happen that it was thought necessary to have any court of enquiry? How did it happen that it was found expedient to supersede captain Phillimore in his command, and to remove him to another ship?

Mr. *Croker* begged leave to state explicitly, that captain Phillimore was taken out of a ship that was not very desirable, for the purpose of receiving another which was preferable.

Sir *F. Burdett* was happy that it was so, and concluded by expressing a hope, that the House would accede to his motion.

Mr. *Croker* explained. Adverting to the two facts which the hon. baronet complained were misrepresented, he said that the language which had been used by the hon. baronet certainly conveyed the meaning, that the character of Mr. Hancock was one of high honour, as bearing the style and character of a gentleman. As to the other expression of the hon. baronet (that Mr. Hancock was the companion of lord Nelson), he maintained that the language of the hon. baronet was precisely such as he had stated it to be;

and so distinct was his recollection of it, that he could not pay so high a compliment to the hon. baronet, nor one so bad to himself, as to retract one word of what he had said.

Sir *F. Burdett* said, that he had not stated that Mr. Hancock was the companion of lord Nelson, but that he was the companion of the victories of lord Nelson.

Mr. *Croker* animadverted with much severity on the conduct of the hon. baronet, in complaining of having been misrepresented, when the case was so much the very reverse. All that he should say was, that the hon. baronet, in noticing his expressions, had done it in a way that was unparliamentary and inconsistent with the courtesy shewn by one gentleman to another, on the most common occasions.

The question was then put and negatived, with the single dissentient voice of the hon. mover.

Bill for the Relief of Persons denying the Doctrine of the Trinity.] Mr. *W. Smith* rose in consequence of his notice to move for leave to bring in a Bill for the further relief of persons impugning the doctrine of the Trinity. He understood that there was not any intention to oppose the measure at that time, and he hoped that it would not be opposed in any future stage. The object of the Bill was not connected with any question of civil privileges, but was solely to remove certain penalties imposed upon persons who denied the doctrine of the Trinity, and who were not included in the Act of king William, commonly called the Toleration Act. In the 19th year of the present reign, an Act had been passed for the relief of those persons, which exempted them from the necessity of subscribing the 39 Articles of the church of England, and substituted the subscription of a declaration of belief in the Holy Scriptures, &c. The Acts of the 9th and 10th of king William, however, had not been repealed. By these Acts, persons who in writing or conversation deny the existence of any of the persons of the Trinity, are disabled in law from holding any office, civil, ecclesiastical, or military, on conviction; and if a second time convicted, they are disabled to sue or prosecute in any action or information, or to be the guardian of any child, and liable to be imprisoned for three years. The only object of his Bill was to do away these penalties. He said the Act which was passed last year was highly creditable to the liberality of the ministers of this country, and the times in which we lived. The only question now for consideration was, whether those persons dissenting from the church of England, should be still liable to the penalties of the Acts of king William. He therefore moved, "That leave be given to bring in a Bill to grant farther relief to persons differing in opinion from the church of England, with respect to certain penalties imposed by law on those who impugn the doctrine of the Holy Trinity."

The *Speaker* observed, that the regular course was to move first, that the motion should be submitted to a committee of the whole House; which was accordingly done.

Lord *Castlereagh* said, he certainly did not see any reason to object to the principle of the Bill. When the Bill was before the House, he would then be enabled to see if there was any thing in the mode of granting the relief liable to objection.

The House went into a committee, when leave was moved for and obtained, to bring in the Bill in question.

HOUSE OF COMMONS.

Thursday, May 6.

Motion respecting the Insufficiency of Convoy, &c.] Mr. *Baring* said, that before any motion could be made for an inquiry into the conduct of the naval war with the United States of America, it was necessary that certain papers should previously be produced. There was a very general complaint among all persons connected with the trade to every part of the West Indies, and North and South America, of the insufficient protection afforded them by our navy, and of the manner in which that trade had been interrupted by the vessels of the United States. There never was a time in which there prevailed a more decided opinion of an undoubted failure of protection. Whether this had happened from government having under-rated the consequence of the war with America, or from whatever other cause, it was inconceivable how the trade of the whole coast of Brazil and our West India Islands had been interrupted. It was not his intention, however, to anticipate the discussion of a future day; he merely wished to state these facts, while troubling the House for the papers he was

to move for. He intended to move for an account of the number and tonnage of the English ships captured by American vessels since the commencement of the American war; but he had been informed by the hon. secretary to the Admiralty that no office of government could furnish such a paper. He wondered that the Admiralty could not furnish it. How was it possible for the Admiralty to distribute their forces so as to afford the most efficacious protection to our trade, if they were unacquainted with the amount of the captures made by each enemy? At Lloyd's something like a register of the sort was kept. As such a document as he wished for, however, was not to be got, that the matter might not be left to vague assertion, and that some government officer might not say the trade was never better protected, as the next best means, he should move, "That there be laid before this House, copies of all memorials or remonstrances presented to the Admiralty by merchants, ship-owners, or others, respecting the insufficiency of convoy for trade, or the insufficient naval protection of the ports or coasts of America, the West Indies, or of the merchant vessels frequenting the same, since the breaking out of war with the United States of America."

Lord *Castlereagh* said, he should be perfectly prepared to defend the vigilance of the Admiralty whenever the subject might come before the House. With respect to the information first wanted by the hon. gentleman, it was impossible for the Admiralty to give an accurate account of the captures of English vessels by the enemy, as they had no means of getting such an account except from the enemy, and therefore if they were to furnish any thing in the shape of what the hon. gentleman wished for, it could only be fallacious. With respect to the other information asked for, he was really astonished that a member of the experience of the hon. gentleman could call for papers of such a description, as all the memorials and remonstrances submitted to government, under which head must be included all the letters written by individuals smarting under their losses. If the Admiralty were to be put upon their trial in this way, it would at least produce this effect, that the number of memorials and remonstrances would be incalculably increased, and the different offices of government would be loaded with complaints of the most unjust, scandalous and vexatious nature. He had no hesitation therefore in giving a direct negative to the request of the hon. gentleman, satisfied as he was, that in any case of neglect on the part of administration, there were members in the House sufficiently vigilant to bring it forward and put his Majesty's ministers on their defence. He therefore hoped the hon. gentleman would not press his motion.

Mr. *Baring* said he was not calling for vague information, but merely wished for the production of the complaints made by persons complaining of insufficient protection on the coasts of the West Indies and America. It was well known that the Jamaica merchants could not send brokers from one port of the island to another for the American privateers. He could see no objection to the production of such complaints.

The question was then put and negatived.

HOUSE OF COMMONS.

Friday, May 7.

PETITIONS RESPECTING THE COTTON TRADE.] A Petition of the merchants of London, interested in the cotton trade, and in the sale and export of British manufactured goods, was presented and read; setting forth,

"That the petitioners have learnt with great surprize, that under the sanction of an Act passed in the 43d year of his Majesty's reign, evidently with a view to the importation of animal wool from Spain, it is now pretended that vegetable wool, the produce of the United States of America, may be imported from thence in neutral vessels, notwithstanding the war and the prohibition in the United States of our manufactures, and although such importation will tend so much to the benefit of the commercial and political resources of the enemy, and is in direct opposition to the interest of every class of his Majesty's subjects, particularly the manufacturers, the British ship-owners, the planters and cotton growers in our West and East India settlements, the merchants engaged in trade with these settlements, and those connected with the Brazil, Turkey, and other foreign trades to and from this country; and that the stock of cotton wool now on hand is, both in quantity and quality, more than equal to the consumption of our manufacturers for one year, and the further importations expected from our

own colonies and friendly countries, if not checked by this unnatural and impolitic import from the United States, would secure a constant and abundant supply; and that, unless such importation from the United States be prevented by direct prohibition, the enterprize of the importing merchants from the East and West Indies and the Brazils will be completely paralyzed, the produce of our own colonies will be depressed, and that of our allies be thrown into other channels, to the evident injury of our manufacturers, whose goods would otherwise be sent in large quantities, and at fair prices, to Brazil, Portugal, and the East and West Indies, in payment or barter for the raw material; and that the injury to our shipping interest, by allowing the importation of an enemy's produce in neutral vessels, instead of encouraging that of the produce of our own colonies, and of our best allies, in British shipping, is so serious, and at the same time so obvious, that it need only be noticed to the House to excite perfect conviction of its impolicy and injustice, and the more especially as the carrying trade from the United States to Great Britain and Ireland has never been open to foreigners, and their being now engaged therein would afford a most injurious precedent; and that our thus fostering the agriculture and commerce of our enemies at our own expence will tend to relieve them, and particularly the southern states, where all their cotton is produced, from the pressure of that war which they have unjustly provoked; whereas the interdict of this commerce would, by privation and distress, make war unpopular among the people of the United States, and produce an anxious desire for peace; and that, if such intercourse with the United States is allowed, it will destroy our present and continued independence of that country for this important article of commerce by preventing its supply from other places, it will drain this country of specie to an enormous extent, it will add abundant pecuniary resources to the hostility of our enemy, whilst it will alienate the commerce of our friends, and cruelly depress the exertions and disappoint the hopes of our own colonial subjects; and that, after all, if our own best interests are thus sacrificed to obtain cotton from the United States, and this country is thereby unnecessarily rendered dependent for this essential commodity upon the caprice of the enemy, experience of American politics must satisfy the House that she will choose the first favourable opportunity to withhold her supplies at a time when, by the discouragement of other importations, the manufacturers may be exposed to the severest injuries and distress; and praying that the Act of the 43d of his Majesty's reign, cap. 153, as far as the same may be considered to authorize the importation of cotton wool from the United States, may be repealed, and that the importation, either directly or circuitously, of cotton wool the produce of the United States of America, may be absolutely prohibited during the war, and so long as America shall generally refuse admission of our manufactures."

A Petition of the planters and merchants now in London, interested in the cultivation of cotton in the British West India colonies, was also presented and read; setting forth,

"That, during several years past, the price of cotton at the British market has been so inadequate to the expence of its culture in the British colonies as to afford the growers of that article, in scarcely any instance, more than two per cent. and in many instances no return whatever upon their capital, while some, by actual losses, have been compelled to abandon their plantations, or to convert them under grievous disadvantages to other uses; and that, independently of the accumulated expences of a long war, and the obstacles it has occasioned to the export of the cotton manufactures of the mother country, the British cotton planter has had to contend in the home market with the American cultivator of this article, subject to none of the expences of war, nor to any countervailing burthen sufficient to protect the interests of the British colonies, and to secure to them that preference which has ever been acknowledged to be their right, as having been settled by the capital, and confined by law to the trade and shipping of the mother country; and that, upon a declaration of war against this country by the United States of America, a small and temporary advance took place in the price of cotton, and hopes were entertained that that article might again pay the expence of cultivation in our colonies, but that these hopes have been depressed by the continuance of the Act of the 43d of his present Majesty (which permits the introduction of wool into this country by neu-

trals,) by a perseverance in the system of licences, and by the incomplete nature of that blockade which has been imposed upon a part of the United States, under which circumstances it is with reason apprehended that a great part of the cotton produced in North America will still find its way to the markets of the United Kingdom in a manner highly favourable to the commercial and financial resources of the enemy, and perhaps, by transfer of seamen and shipping, to the maintenance of his naval strength; and that the West India colonies of Great Britain, the sure supports of her commercial and naval prosperity, are capable, under proper encouragement, of greatly extending their cultivation of cotton, both to her further emolument and strength, and with increased advantage and additional internal security to themselves; and that the present juncture appears favourable for affording an encouragement necessary for an object so important, and for diminishing that dependence upon foreign supply, which must prove eventually detrimental to our manufactures, by discouraging the steady and permanent supply from our own resources; and that the tax which has been proposed to the House to impose upon the American cotton during the war will not afford to the British colonies the protection and encouragement requisite, so long as the means are left open by licences or otherwise for the importation of that article into the United Kingdom; and praying, that the House will take such measures, as to its wisdom shall seem fit, for prohibiting, during the continuance of the war with the United States of America, all importation, direct or indirect, of cotton produced in those states."

Ordered to lie on the table.

ADMIRALTY REGISTRAR'S BILL.] Mr. Dickinson brought up the Report of the Committee on the Bill for regulating the office of Registrar of the High Court of Admiralty. The amendments were read a first time. On the motion that they be read a second time,

Lord *Castlereagh* allowed that although the balances remaining in the hands of the Registrar were not so great as imagined by the hon. and learned framer of the Bill, yet that they were sufficient to call upon parliament to provide that they should be placed in the Bank of England rather than left in the hands of any individual, however honourable, and however his security might be such as to be exceeded by none but that which was greater than any other. He thought it therefore desirable that the Bill should pass, but he also thought it desirable that it should be recommitted (some of its provisions being objectionable), in the hope that a right hon. and learned friend of his would assist in moulding it into a less exceptionable shape. With respect to the noble individual by whom the office in question was then held—an office already so regulated by parliament, that after the existing tenure had ceased, its emoluments were no longer to be indefinite, but limited by law—he contended, that on every principle of justice that noble individual was entitled to retain the advantage which he had hitherto enjoyed (and which was equivalent to a freehold property) of receiving the interest of the money of suitors left in the hands of the court. He could see no reason whatever for stepping in between that officer and the benefits vested in the office for a period defined by the law. In the committee he should propose a clause to that effect; and for this purpose, and for the advantage of the corrections to which he had alluded, he would move, as an amendment, that the Bill be re-committed.

Sir *W. Scott* briefly supported the claims of the present Registrar, and maintained the propriety of re-committing the Bill.*

Mr. *H. Martin* expressed his willingness to avail himself of any suggestions that might render the Bill less imperfect, but strongly objected to leaving to the Registrar the benefit of the interest of the suitors' money. He would not, however, oppose the re-committal.

A conversation arose, in which Mr. Rose, Mr. Stephen, Mr. Martin, Mr. Whitbread, &c. participated, relative to the interpretation to be put on some of the official returns relative to the amount of the property of suitors remaining in the hands of the court; and the Bill was ordered to be re-committed on this day se'nnight, pursuant to the motion of the noble lord.

NAVAL ARSENALS AT DEPTFORD AND WOOLWICH.] Mr. *Herbert* said, he rose, pursuant to notice, to move for the production of the Fifteenth Report of the Commissioners of Naval Revision, for the purpose of introducing the subject of the projected abandonment of the naval arsenals of Deptford and Woolwich, and the erection of a new naval arsenal at Northfleet. For many years he had turned his

mind to that subject, and was intimately acquainted with all the difficulties which mariners encountered in the navigation of the Thames; these difficulties, though they appeared insurmountable to many, he was confident from his own observations, confirmed and corroborated by the surveys of skilful engineers, might be easily overcome without the abandonment of two such extensive and excellent arsenals as those at Woolwich and Deptford. He had not been able to procure a copy of the Fifteenth Report of the Naval Commissioners, but he had consulted documents which he was given to understand had appertained to the late lord Melville, in which he found all the reasons for the abandonment of the arsenals arrayed in the same manner as they were rumoured to be in the Report of the Naval Commissioners. The reasons were stated to be three in number. First, the shoals of mud extending towards Deptford and several miles below Woolwich, though they did not prevent the passage of vessels during high water, nevertheless, incommoded them much during low water, and compelled them to dispatch their stores in lighters to the manifest detriment of the speedy equipment of the fleets. Secondly, the natural windings of the river, turning at one time towards the north and then making a bold sweep in a direction nearly south, prevented vessels from proceeding rapidly from the quick and difficult turns which it was found necessary to make, and the consequent exposure to a contrary wind as they winded with the coops of the river. This circumstance retarded the operations of equipment, and before the memorable battle of Trafalgar the transports for the fleet were retarded in that manner a whole month. Thirdly, the mud accumulated so fast into shoals, that a new dock was found to be absolutely necessary for the acceleration of naval equipments. Such being the reasons for the erection of the new arsenal, he was prepared to propose the introduction of the plan of an excellent engineer which would effectually remedy all that the Naval Commissioners had complained of. The engineer proposed to cut a canal from Long Reach to Deptford, by private subscription, occasioning an annual expence of 50,000*l.* the payment of which was to be guaranteed by the public. For the purpose of examining the merits of the plan by comparison with the opinions of the Commissioners, he begged leave to move "that an Address should be presented to the Prince Regent, praying that he would be graciously pleased to order the Fifteenth Report of the Commissioners of Naval Revision to be laid before the House."

Mr. *Croker* said, that it would not be necessary for him to trouble the House at length on this question. The hon. mover proceeded on two assumptions: first, that a large naval arsenal was to be built, and second, that the existing dock yards at Woolwich and Deptford were to be abandoned. The first assumption was premature, and the second still more so. A sufficient answer to the hon. gentleman's motion was, that the government would not undertake any work at Northfleet, without submitting the subject to the consideration of parliament. On this ground he should give his vote against the motion.

Mr. Alderman *Atkins* said, that he understood the present motion to be a side wind to introduce a Canal Bill. This canal, if established, would have the effect of taxing all shipping which approached the port of London, whether they passed through the canal or no. This work, of which the capital was 305,000*l.* had been subscribed to only by ten persons, at 1,000*l.* each. A profit was to be guaranteed by government to sleeping partners, and for this was the shipping of the kingdom, already too much burthened, to be oppressed.

Mr. *Rose* opposed the motion. The proposal for a canal had been thrown out very loosely when the Admiralty had appeared to support it, but had upon examination been found inexpedient. The projector of this canal had at first proposed to do away with the poor Thames altogether, and bring a canal to Vauxhall. The hon. gentleman who spoke last had misunderstood the hon. mover, as to the taxing ships in the river; a surer plan had been adopted by proposing to secure the interest by taxing the whole kingdom.

Mr. *P. Moore* said, that the only ground for this motion was, that the undertakers of a great and useful work should be guaranteed that the capital they expended would not be rendered unproductive. Anchorage for 880 ships would be required in time of peace, and it certainly would not be lost time for a committee to enquire, how far this could be afforded by the canal in question.

The motion was negatived without a division.

Mr. *Herbert* then moved, "That a Select Committee be appointed to enquire whether the carrying into execution a plan, proposed by a Bill, intituled, the Royal Clarence Canal Bill, read a first time in this House, for making a canal navigable for ships of war of any size, with their guns, stores and tackle, from Woolwich to Erith, be practicable, and at what expence the same is proposed to be made, and further to enquire whether the completion of the said canal may not tend effectually to obviate the delays vessels often experience from the winding of the reaches in the channel of the river Thames between Woolwich and Erith, and the dangers arising from the different shoals in those reaches, and further to enquire whether its completion would not render the access to the present dock yards of Woolwich and Deptford, so much shorter, more easy and certain, as, together with the advantage of affording a convenient basin, in which all ships launched from or to be refitted in these yards may, contiguous to the arsenal at Woolwich, either get on board or land their guns, stores and tackle, and thereby obviate the necessity of abandoning and destroying the present yards at Deptford and Woolwich as proposed and recommended by the 15th Report of the Commissioners of Naval Revision, and further to report their opinion, if, on the completion of the said canal, the advantages accruing as above to the public will not be so great as to render it expedient for the public to guarantee the interest of a sum not exceeding 300,000*l.* proposed to be laid out and advanced by a joint stock company, on the works being completely executed."

Mr. *Croker* opposed the motion, as calculated only to lend countenance to an illusory speculation.

After some further conversation between Mr. Rose, Mr. Moore, and Mr. Alderman Atkins, the question was put, and negatived without a division.

HOUSE OF COMMONS.

Monday, May 10.

PETITION RESPECTING PEACE.] General Ferguson presented a Petition from Dysart, in the county of Fife, setting forth,

"That the petitioners feel themselves called upon, as lovers of their country, as lovers of humanity, and more especially as the professed followers of the Prince of Peace, to seek by all lawful means the putting a period to the devastations of war, and the securing for themselves and for their brethren the blessings of peace; and that the petitioners lament that this country has now for a long course of years been unhappily engaged in war, a war pre-eminently distinguished by the waste of blood and treasure, by its injurious effects on our manufactures and commerce, and by its baneful influence on the moral and religious interests of the community; a war which has in no ordinary degree involved the whole continent of Europe in desolation, and a war whose fatal ravages have extended to every quarter of the globe; and that the inhabitants of the parish of Dysart have in consequence been subjected to many privations, but they have nevertheless demeaned themselves as became peaceable and loyal subjects; and that, in the late dreadful and most providential discomfiture of the French arms, and the consequent happy aspect of affairs on the continent, the petitioners hail the cheering dawn of hope that peace may soon be restored on a safe and honourable basis; and that, whatever may be their confidence in the character of the ministers of the crown for all the commendable qualities of statesmen, the petitioners are not ignorant that they partake of the fallibility, and are not uninfluenced by the passions, of our common nature; and that, influenced by such considerations, while the petitioners profess peculiar attachment to no political party, they feel it to be a duty imperiously binding on them as men and Christians to avail themselves of their constitutional right of petition for expressing their earnest wish that all favourable circumstances may be carefully improved which give a reasonable hope of the restoration of peace; and praying the House to take the subject of the present Petition under their most serious deliberation."

The Petition being brought up and read,

Mr. *Whitbread*, while he admitted that this was not the precise time for agitating such a question as that alluded to in the Petition, must still agree with the petitioners as to the fallibility of the present ministers. No opportunity, however, he believed, had hitherto been lost: and though a total silence on the subject had for some time been observed in that House, yet the time for a perseverance in that silence was now pretty nearly at a close.

Ordered to lie on the table.

IMPORTATION OF COTTON FROM AMERICA.] Mr. Alderman Atkins presented a Petition from the merchants and manufacturers trading to Portugal and Brazil from the Port of London; setting forth,

"That notwithstanding the existing hostilities between Great Britain and the United States of North America, and their prohibitory laws against the import of British manufactures and produce into the American states, cotton wool the growth of North America is nevertheless admissible direct into the United Kingdom by neutral vessels under the Act 43 Geo. 3, c. 153; and that cotton wool, the growth of our colonies and settlements in the West and East Indies, together with that of the Brazils and other countries in amity with Great Britain, is already far beyond the consumption of our manufacturers, and that the growth thereof will moreover be increased to an immense extent, if not discouraged by the unrestrained admission of North American cotton in time of war; and that, from the best calculation which can be formed, it is computed there is cotton wool now in England equal to 1¼ years consumption, and that there are in the Brazils very considerable depôts of cotton wool remaining from the old crops, which depôts will be increased to a very great extent by the new crops, just gathered; and that a very considerable part of the old crops of cotton wool in Brazil has been kept back by the losing prices which till of late have been prevalent in Great Britain, the consequence of which has been a diminished export of our manufactured goods; and that, in the confident and general expectation that the North Americans would not be permitted to carry on their export trade during their war against this country, considerable shipments of manufactured goods were made for the supply of funds for the purchase of the raw material, and much more considerable shipments would have been made, were they not prevented by the discovery of shipments of cotton wool from the United States under the sanction of the aforesaid act of parliament, which had escaped general observation in this country; and that the knowledge of this act of parliament has consequently operated to the obvious disadvantage of our manufacturers and of our shipping interest, not less than three fourths of the whole trade with Portugal and the Brazils being carried on in British ships; and that the American war occasions a very great additional expence on the import of cotton wool from the Brazils by British vessels, by the advance on the premium of insurance to more than treble its former rate, and by the consequent advance in the rate of freight; and that if, either under the sanction of the afore-mentioned act of parliament, or by licences, or by the inefficiency of the declared blockade, the Americans are permitted to carry on their export trade by neutrals, they will have the advantage of so doing at peace premiums of insurance and at reduced freights, and they will therefore positively enjoy a bounty on their export-trade during the war, an unexpected advantage which America nor no other country has enjoyed even in the time of peace, and thus Great Britain will be exposed to an aggravation of the inconveniences of war, by an important article, the produce of our own colonies and settlements, being subject to great additional charges, while the same identical article, the produce of our enemies country, is admitted free of any additional expence, under the sanction and protection of our own government; and that the most serious consideration occurs of the necessity of paying in bullion for whatever commodities are drawn from the United States, as long as the restrictions against the introduction of our manufactures continue in force, as this trade will undoubtedly occasion a constant drain of bullion not only from Great Britain, but from the West Indies and from the peninsula, the effect of which is obvious at a time when the precious metals are so essentially necessary for great national purposes at home and abroad, and are now selling at an advance of nearly 40 per cent. above the standard price; and that these allegations are not dictated by interested and partial motives, or imputable to an exaggerated or misrepresented state of things, and they are indeed in part clearly confirmed by the following paragraph of the president Madison's Speech to Congress the 4th of March last: "The means employed by the British cabinet have recoiled on themselves, have given to our national faculties a more rapid developement, and draining or diverting the precious metals from British circulation and British vaults, have poured them into those of the United States; it is a propitious consideration that an unavoidable war should have found this seasonable facility for the contributions required to support it;" and that the doubtful state in

which this question has so long remained has had the most serious effect on every branch of the cotton trade, and if decisive measures are not speedily determined upon, by which the planters, the importers and the manufacturers can regulate themselves, the most mischievous consequences are to be apprehended; and that the history of the trade exhibits unquestionable proof that the prosperity of the cotton manufacture depends rather upon the facility of access to the foreign market than upon the actual price of the raw material, for during the last two years of extreme depression in the cotton trade, the raw material has been lower in price than at any former period, while, during the periods when the raw material has been the highest in price, the manufactures have been uniformly the most prosperous: in evidence of this, reference may confidently be made to a period of 15 years, from 1795 to 1810; and that under the impression of all the foregoing considerations, the petitioners most humbly pray, that the House will take these premises under consideration, in full confidence that, in its deliberative wisdom, it will be found expedient to determine upon such enactments as will speedily deprive the enemy of the enjoyment of such an unexpected and undeserved indulgence, to the obvious prejudice of the whole empire, and to that also of our good allies."

Mr. Alderman *Atkins* said, he was desirous of impressing the minds of his Majesty's ministers with the importance of the measure which the petitioners apprehended would cripple the means of the United States, while it tended to encourage our own trade, and increase our warlike resources. He was anxious to learn if the Chancellor of the Exchequer had in contemplation the total exclusion of American cotton, by the additional duty which he had recently proposed, and if not, he would feel it his duty to make a motion on the subject.

The *Chancellor of the Exchequer* said the measure which he had proposed, was for the purpose of pressing upon the resources of the enemy, by an endeavour to lower the price of the staple commodity of the United States. He had formerly submitted propositions to the House on that subject, which were not favourably received; and he afterwards endeavoured, by a blockade of the American ports, to exclude their cotton from the continental European markets, but that measure did not effectually secure a certainty of protection to the English merchants, inasmuch as some political considerations might induce the government to remove the blockade, which would enable the Americans to pour all their accumulated cotton into the European markets, to the incalculable detriment of the merchants of Great Britain. It was for the manufacturers themselves to decide whether they conceived their prosperity best secured by a settled system like that of taxation, or one liable to sudden fluctuation like that of blockade. He was anxious to know whether or not it would be a desirable measure to impose considerable restraints upon American produce, so long as we were excluded from the markets of that country, and he hoped he would learn the sentiments of the commercial body on that subject.

Mr. *Baring* thought this would be very desirable. All that the merchants wanted to be assured of was, that American cottons should not come to their rivals in Europe, if they were excluded from acquiring it from their own manufactures. It was true, we could work with other cottons, but not to enter into a competition with the continent, if American cottons were permitted to reach it at *6d.* or *10d.* per lb. while we paid *24d.* for that from the Brazils or the colonies of an inferior quality. With respect to the blockade, he feared it was not so effectual as could be wished. It was not a geographical blockade, and wanted general combination. It was merely a blockade of the Chesapeake, Charlestown, and the Savannah, and not of all the cotton ports, which might send out their commodities for the use of Europe. He believed that vessels laden with cotton had even arrived at Plymouth and Liverpool, since it was instituted, and all from the government not having any settled plan or common feeling how they ought to act. They either did not think the subject of the importance it was felt to be out of doors, or they wanted concert. Thus lord Liverpool refused all licences, and in a few days after they were granted by the Board of Trade. Such uncertainty was very injurious to mercantile concerns.

Mr. *Canning* thought it highly proper that the decision of government should be taken early. When the right hon. the Chancellor of the Exchequer had brought forward his proposition on this subject, he had understood him exactly in the way

he had this evening explained himself. He had understood the measure as one of hostility against America, and not as intended to improve the finances of this country, and he was glad to hear it now admitted by the hon. gentleman who spoke last, and it was a wise policy in that point of view. Such had not been the arguments with which it was originally opposed, nor was such admission agreeable to the theories advanced in books, that we ought to procure the raw material wherever it was to be had, at the cheapest rate, without considering what advantage our purchasing from them might confer on our enemies: his only objection to the original measure was, the retention of power in the Board of Trade with respect to the granting of licences, and something of this applied to the modified plan of his right hon. friend. A power was left, which being exercised at any time, would ruin all the speculations of those who had proceeded to trade in colonial cottons, on the faith of the declared intention of government. He agreed with the right hon. gentleman that the blockade was the most fair, open, and manly system. But the hon. gentleman who spoke last had truly stated, that it was not so completely notified to foreigners as it ought to be, in order to accomplish its object. It left several distinctly cotton ports open, and it was still more imperfect, as naval or military purposes might at any time call off the blockading force, and send it upon an expedition at the will of the commanding officer. If such an event took place, the sudden influx of cotton from the liberated ports, where it had been long amassing, would be destructive to all speculations on the belief that it would be obstructed from finding its way to Europe. Any subsidiary measure would also in part be liable to the same objection. A sudden restoration of peace would inundate the market with goods, the absence of which had been calculated upon, and overthrow all distant speculations. In his opinion, therefore, any measure of this sort now resorted to, ought not to be made contingent on peace. To prolong restraints on their commerce, would be wise and advisable, since in this war it was universally acknowledged that America was the aggressor. We must then pursue our measure with vigour and certainty—with vigour, that the annoyance to the enemy might be felt; and with certainty, that we might pluck from an offensive proceeding of our foes the means of augmenting our internal prosperity. He hoped the right hon. gentleman would lose no time in bringing the measure forward and establishing the principle.

Mr. *Phillips* said, the inducement already held out to our colonies to cultivate cotton amounted to about 50 or 60 per cent.; if this was not an inducement, why should we hold out to them any farther inducement, or urge them to it by artificial means? The immediate effect would be to raise cottons above their present high price, and the ultimate consequence would be, the introduction of a great quantity of low priced cotton into other countries, from which England would be excluded; and, of course, her manufactures in return would be excluded from every foreign market. The East Indies, there was little doubt, would be able in time to supply this country with every sort of cotton; but this must be done gradually, and not by any sudden or artificial impulse.

Mr. *Marryatt* contended strongly in favour of the policy of encouraging the import of cotton from our own colonies and those of our allies, rather than from America, with whom we were at war, and who had already superseded both the cotton and tobacco of the West India islands. Four fifths of the cotton imported into this country had been of late the produce of America. He could not concur with the hon. gentleman who spoke last, that there was any danger of the continent being supplied with cotton manufactures at a cheaper rate than we could furnish them, if we were to interdict the import from America. He considered some measure of this description alike dictated by our colonial interests, and the spirit of our navigation laws.

Mr. *Foster* observed, that the hostility of the American government had been always evinced and exercised by restriction upon the commerce of this country. The spirit, he conceived, ought to be retorted upon them, and it should be made manifest to the world, that Great Britain would never shrink from meeting her enemy upon his own ground. He agreed with a right hon. gentleman that it would be expedient to adopt some legislative provision for the purpose of meeting those of America, and providing a point for future negociation. He was happy to perceive and congratulate the general feeling which pervaded the House upon the political part of the question.

Sir *Robert Peel* thought the House ought not to forget that cotton was one of the most important articles of the manufacturing trade of this country. It was an article that gave employment to many thousands of the poorer classes, and quadrupled its own value in the course of those operations which it underwent. While the intercourse with America remained unimpeded, no evil was felt, the labouring orders found sufficient occupation, and the supply in America conformed itself to the demand in this country. He was afraid that his right hon. friend the Chancellor of the Exchequer, had been surrounded by interested persons. He wished it was in his power to produce a letter which he had lately seen, and by which it appeared that the recent rise in the price of cotton had been occasioned by the very extensive speculation of a gentleman at Liverpool (Mr. Gladstane) not unknown to the right hon. gentleman on the floor (Mr. Canning). It should be remembered that we had already experienced the advantages accruing to the landed and general interest of the country, in being able to pay our soldiers abroad by the exportation of cotton goods. The House should take care lest in legislating against an enemy, they legislated for the interests of a rival.

Sir *W. Curtis* was perfectly clear, that if encouragement was given to our own colonies, to our allies, and to our East India possessions, we need fear no want of cotton for our manufactures. There was plenty in the country for the consumption of one year, and long before that expired, if we acted wisely, we might have enough for all future purposes. He had seen as fine cottons from the isle of Bourbon as the Lea cotton of America. We therefore not only had sufficient, but of the best quality, without providing our enemies with the sinews of war. He would never consent to encourage the enemies of Great Britain. The Americans were our determined enemies, and they should, always find one in him.

Mr. *H. Thornton* was of opinion that if the present measure were adopted with a view of encouraging the cultivation of cotton in our colonies, it would be necessary to aid its operation by other subsidiary measures.

Mr. *Lascelles* was afraid that if we did not take the American cottons, other nations would, and injure us in our manufactures. He desired to know if the rt. hon. gent. had abandoned his former proposition?

The *Chancellor of the Exchequer*, in reply to what had been suggested and inquired in the course of the debate, begged to state, that he had not said his mind was decided as to the expediency of recommending to parliament some measure for the total exclusion of American produce from the ports of this country. This, however, would be the subject of future consideration. The measure immediately before the House certainly was not founded upon any financial speculation, and therefore naturally divided itself into the two branches of commercial policy and political expediency. The former had already been sufficiently discussed, and as to the circumstances mentioned by the hon. gentleman of licences having been issued in which the blockaded ports of America were not excepted, some few had been so granted in consequence of the temporary absence of a noble lord at the Board of Trade, occasioned by a domestic misfortune. He did not know any thing of vessels having subsequently arrived in the ports of this country laden with cotton and tobacco, but if the fact were so, they must have sailed previous to the prohibition. With respect to what had been stated by the hon. gentleman as to the nature of the blockade instituted on the coast of America, which the hon. gentleman described as not being a geographical blockade, it was to be remembered, that as America had never concurred in the new principles proclaimed by France, which were denominated the Continental System, the government of this country was not justified in any view of the law of nations in declaring any part of the American coast to be in a state of blockade unless actually and truly in that condition. The commanders on that station had been instructed to enforce strictly local blockades to the south of Rhode Island.

Mr. *Canning* explained, that he had never declared or insinuated any right on the part of this country to apply to America the novel principles of blockade which had grown out of the new maritime policy introduced and acted upon by France. All he had said was, that we ought to accompany the actual blockade by additional and subsidiary annoyances upon the resources and belligerent means of America.

Alderman *Atkins* recommended an entire suspension of intercourse with America.

The Petition was ordered to lie on the table.

APPENDIX

APPENDIX

TO THE

PARLIAMENTARY DEBATES,

VOL. XXV.

Papers relating to the Renewal of the East India Company's Charter.—*Ordered to be printed March* 11, 1813.

Letter from the right hon. the President of the Board of Commissioners for the Affairs of India to the Chairman and Deputy Chairman of the East India Company, dated India Board, 24th December, 1812.

Gentlemen;—The conferences held at this board with the committee of correspondence, having had for their object the most unreserved and candid discussions upon points of the greatest importance, with respect to the renewal of the East India Company's charter, and it having been understood that no further steps should be taken upon the subject until a communication was made by me, in an official shape, to the court of directors, it was not without some surprise that the copy of their resolution of the 18th instant was received by his Majesty's government, because that resolution, adopted under such circumstances, appeared to them to have for its object an abrupt termination to all discussion.

They cannot, however, consider it the less incumbent upon them, through you, as the proper official channel, to bring before the court of directors the principles upon which the opinions I have to apprize you have been formed, in order to present to the proprietors and the public a correct view of a subject to which so much importance is attached.

I shall, therefore, convey to you the sentiments of his Majesty's government precisely in the terms I should have done if no intimation had been made of the resolution of the court of directors of the 18th instant; and with that object I proceed to inform you, that with regard to those points to which the attention of the committee of correspondence has been chiefly directed at the conferences held at this board, the principle uniformly maintained as the basis of any arrangement for the renewal of the East India Company's charter, viz. that the merchants of this country have a substantial claim to as much liberty of trade as they can enjoy, without injury to other important national interests, cannot be departed from.

It was in the hope that the opening of the export trade with India to the merchants of the city of London and of the out-ports, whilst the import was confined to the port of London, might not be found inconsistent with this principle, that a disposition was felt by the government to propose an arrangement to that effect.

In consequence, however, of the promulgation of such an intention, several persons interested in the commerce of the outports represented in the strongest terms, that the proposed limitation of the import trade from India, rendered the extension of the export of no value to them; and they declared themselves prepared to maintain that this limitation was not called for by any adequate motive of public interest.

They urged their claim to an equal participation in the general trade to India, and their conviction, that the ground upon which the exclusion in favour of the port of London was defended, viz. the additional danger of smuggling, could not be supported; and they were satisfied that the alleged danger might be obviated by revenue regulations. They also entered largely into the subject of the China trade,

contending strenuously against the renewal of the Company's exclusive charter, and stated their reasons for believing, that measures might be adopted by which that trade could be open, without injury to the revenue, and without hazarding the continuance of the intercourse with the emperor of China's dominions.

The importance attached to these representations induced his Majesty's government to revise the arrangement which had been in contemplation, and although they did not see cause, under all the circumstances bearing upon this question, to alter the opinion they had entertained of the propriety of continuing the existing restrictions upon the commercial intercourse with China, and of preserving to the Company the monopoly of the tea trade, they nevertheless felt that the merchants belonging to the out-ports had established a claim against an absolute restriction of the import trade to the port of London.

Under this impression I addressed my letter to you on the 27th of April ultimo.

The observations made by the committee of correspondence, in their reply of the 29th of the same month, did not fail to engage the serious attention of his Majesty's government; but after the best examination of those observations, aided by all the information they have obtained from the boards of customs and excise, they are not enabled to concur in the opinion, that the proposed extension of the import trade from India would be productive of any great increase of smuggling, and certainly not to the extent stated by the court of directors.

It is conceived, that the apprehensions entertained on this account might be obviated by various regulations, such as confining the trade to those ports which are, or may be, so circumstanced as to afford security to the due collection of the revenue, by the limitation of it to vessels of four hundred tons burthen; by attaching the forfeiture of the ship and cargo to the discovery of any illicit articles on board; by an extension of the Manifest Act; by regulations for checking the practice of smuggling in the ships of the Company; as well as by other provisions too minute to be entered into at present, but which will of course be attended to in discussing the details of the subject.

I am persuaded it will not escape your observation, that from obvious considerations the English channel must at all times, especially in time of peace, afford facilities and inducements for smuggling which do not occur elsewhere to the same extent, on account of the clandestine traffic already established, and the ready communication with the opposite shore.

But with respect to the whole of this part of the question, it is impossible to lose sight of the deep interest which the government must feel in the prevention of smuggling. The interests of the Company are no doubt involved in it, but those of the government are still more concerned; and it cannot be supposed that they would bring forward any proposition which appeared to them likely to endanger a revenue of from 3 to 4 millions, or that, if a defalcation should unexpectedly arise, they would not immediately take measures for applying a remedy. The Company have therefore an ample ground of confidence, not only in the disposition of government, but in their effectual co-operation on those points on which the court of directors appear to feel the greatest anxiety, and on which they urged their strongest objections to the proposed arrangement.

The several articles which may be imported from the countries within the limits of the Company's charter, and which are charged with an *ad valorem* duty, although, with the exception of tea, they bear a very small proportion to the whole of the revenue collected from the trade from India and China, are nevertheless of sufficient importance to demand the attention of government, as the question may affect the interests of the East India Company, as well as those of the public revenue.

With this view, it will be necessary to consider, whether, with respect to some of them, a rated duty might not be substituted; and whether regulations may not be made for the security of the duty, *ad valorem*, on those articles which shall continue to be so charged, and which at the same time shall prevent their being purchased at a price likely to operate injuriously to the manufacturers of this country.

The justice of the observations respecting the additional number of Europeans that would find their way to India in consequence of the extension of the trade, must be admitted to a certain extent; but it is obvious that this danger would arise from the extension of the export trade to India, and would scarcely be lessened by confining the import trade to the port of

London. Every individual during his residence in India would of course be subject to the existing regulations of the local governments.

The situation of Lascars, who are occasionally employed in the navigation of ships from India to this country, would demand the humane interposition of the legislature; and there can be no doubt that effectual provision for their maintenance while in England, and for their return to India, will be made.

Having gone through the principal points to which our recent conferences have related, it may be proper for me to apprise you, that his Majesty's government are of opinion, that the establishment of King's troops, which may be requisite for the preservation of the peace and security of the British possessions in India, must depend upon circumstances that it would be difficult to anticipate; but as the financial situation of the Company may render it necessary that the numbers to be maintained at their charge should be limited, there can be no objection to propose to parliament to specify that number by legislative enactment.

I have thus endeavoured to bring the sentiments of his Majesty's government before you, with the same candour that has been evinced in our recent discussions; and I can venture confidently to assure you, that my colleagues, as well as myself, are most anxious to promote such an adjustment between the public and the court of proprietors as may be satisfactory to all parties.

The expediency of adhering to that system by which the government of India has been administered through the intervention of the Company is strongly felt by his Majesty's government; but it must not be supposed that there are no limits to that expediency, or that there are no advantages which might result from a different course.

It is for the court of proprietors to decide, whether their own interests, as well as those of the numerous persons depending upon them both at home and abroad, can best be preserved by their rejection of, or acquiescence in, those conditions, upon which alone, consistent with their public duty, his Majesty's government can submit a proposition to parliament for the renewal of the charter.

You, gentlemen, must be aware, that from its approaching expiration, provision must be made, without delay, for the future government of India; and that his royal highness the Prince Regent, in his Speech at the opening of the present session, has called upon parliament to make such provision.* I have the honour to be, &c. BUCKINGHAMSHIRE.

At a Secret Court of Directors, held the 30th December 1812.

Letter to the President of the Board of Commissioners, in reply to his lordship's letter of the 24th instant, was read and unanimously approved.

East India House, 30th Dec. 1812.

My lord; we were honoured on the 25th instant with the letter which your lordship was pleased to address to us on the preceding day, and have laid it before the court of directors.

We are instructed by the court to acquaint your lordship, that a general court of proprietors of East India stock has been summoned, for the special purpose of taking into consideration the important subjects treated of in your lordship's letter; and we shall lose no time in submitting to your lordship the result of the deliberations at that meeting.

In reference to the first paragraph of your lordship's letter, in which the resolution passed by the court on the 18th instant is stated to have caused some surprise to his Majesty's government, as appearing to have for its object an abrupt termination to all discussion, we are desired by the court of directors respectfully to offer the following explanation.

Your lordship is aware, that at the commencement of the recent conferences on the subject of the renewal of the Company's charter, it was agreed between your lordship and the deputation from the court, that no minutes should be taken of what passed in conversation; accordingly no particular communication was made prior to the receipt of your lordship's letter of the 24th instant, of the result of these conferences; but an earnest desire having been expressed by those gentlemen in the direction, who are not members of the committee of correspondence, to be informed whether the differences of opinion formerly known to exist on some important points between his Majesty's government and the court were in a train of reconciliation, and the general answer which we thought ourselves bound in duty to give not having tended to afford them the satisfaction they expected, they deemed it

proper that the sense of the court respecting the question of the out-ports should be formally notified to your lordship, and in consequence of the unanimous resolution of the 18th was transmitted.

Had the court perceived that that proceeding admitted of the interpretation which has been put upon it by his Majesty's government, they would assuredly have taken pains more effectually to guard against so great a misconception of the real intention, which was no other than to mark their adherence to the opinions they have uniformly entertained on the disputed question, of extending the import trade from India to the out-ports of this kingdom, which had formed the principal subject of discussion between the members of his Majesty's government and the committee of correspondence. It was certainly desirable for the members of that deputed committee, and it was thought that it might not be unacceptable to your lordship, to know that the sentiments which they had expressed in the course of discussion were sanctioned by the unanimous concurrence of the body by whom they were delegated. The mode in which the resolution was adopted was conformable to the usage of the court of directors on solemn occasions, namely, after a report from a committee of the whole court, which always requires signatures, and which in the present instance was subscribed by every director.

We trust, my lord, that this explanation of the measure alluded to will prove satisfactory to your lordship and the other members of his Majesty's government, and while we return our sincere acknowledgments for the attention with which our representations have been listened to, in the various interviews with which we have been honoured by your lordship and his Majesty's ministers who attended, we hope, at the same time, to stand perfectly acquitted of any design, either to prevent or embarrass a full and deliberate discussion of the great interests at stake.

It is matter of deep concern to us to find that his Majesty's ministers seem still to adhere to the principle of opening the out-ports of the United Kingdom to the importation of commodities from India. We have already, in our letters of the 15th and 29th of April last, fully stated the dangers that must result to the Company from so great an enlargement of the privilege in Eastern commerce to British merchants. We presume to think our objections to that enlargement have not been adequately answered, and we have to express the concern felt by the court, that no communication has yet been made to them; of those representations which first led his Majesty's ministers to entertain, and which induce them still to adhere to the opinion, that the public interest will be best consulted by not confining the import trade from the East Indies to the port of London. It would occasion much satisfaction to the court should such a communication have the effect of obviating their objections, even in part, to a measure, which the most imperative considerations alone could have influenced them to oppose; and were it unfortunately to fail in producing this effect, it is nevertheless desirable that the court of directors shall have an opportunity of renewing the question with all the intelligence that can be brought to bear upon it. Your lordship has, indeed, been pleased to favour us with a brief summary of some of the arguments used by the merchants on this subject. Arguments, we must own, not in the least convincing to us; and we assure ourselves that in adverting to them your lordship does not mean that the Company should be concluded, or their fate determined, by what those who oppose their interests choose to advance, although their representations appear to have so far influenced his Majesty's ministers as to lead them to think that the merchants "have a claim to as much liberty of trade as they can enjoy, without injury to other important national interests." In those interests, we may presume, are comprehended both the consideration of the public revenue, and the maintenance of the East India Company. But what that extent of trade is, "which can be granted with safety to those interests," is still a question undetermined. We confess, that the regulations contemplated by his Majesty's ministers, so far as your lordship has been pleased to explain them to us, appear by no means calculated to remove our fears.

The comparative interest which the public and the Company have in preventing the smuggling of tea was described in our letter of the 29th of April; and though it be true, as your lordship observes, that the state of the public in this concern is numerically greater than that of the Company, yet the importance of the Company's inferior stake is to them infinitely greater than would be to the

public the importance of the loss the revenue might sustain: because, as matters now stand, the Company have no certain dependence but the China trade for resources essential to their subsistence. We do not the least question that his Majesty's ministers would be thoroughly disposed to frame additional regulations to prevent smuggling tea, should those now in contemplation be tried, and be found insufficient. But, besides that we extremely distrust the practicability of preventing smuggling to a large extent, where the temptations would be so great, we must entreat your lordship and his Majesty's ministers seriously to consider, what would be the situation of the Company if they obtained a charter upon no better terms than those now proposed, and upon trial it should be found that their commercial income failed, and that their dividend should be unprovided for or lowered; their stock would immediately fall; their credit would be diminished; the currency of their affairs, in their payments particularly, would be impeded; general alarm and dissatisfaction in all parties connected with this great establishment would be felt; and there would be a necessity for going to parliament again, when evils great, perhaps irretrievable, would have been experienced. It is the duty of the executive body of the Company to carry their views forward to such contingencies, and to seek provision against them: and we must beg leave to add, that whatever rights the merchants may claim, or the nation be pleased to bestow on them, it cannot be equitable to make concessions to them which should destroy the Company who acquired the Indian empire, and who are as much the owners of the chief seats of European trade in that empire as they are of their freeholds in London.

With respect to the resort of Europeans to India, if we do not misunderstand the scope of your lordship's observation, it seems to imply that their numbers might be in proportion to the export trade from this country. If indeed they were to be regulated by this scale our apprehensions would be the less; but we have no difficulty in acknowledging, that in addition to all our other arguments against admitting importations to the out-ports, we think that the granting of this privilege would increase the spirit of rash speculation from Great Britain and Ireland, and thereby the number of adventurers in search of fortune in India; for it is to be remembered, that those adventurers would naturally seek for new establishments, even out of the Company's territories, and there endeavour to acquire real property.

But, my lord, this is only one of many points which require particular regulations; and at the stage at which we are now arrived in the negociation we cannot but state to your lordship the anxious wish of the court to be made acquainted with the whole plan which his Majesty's government may have it in contemplation to recommend to parliament for a renewal of the East India Company's charter, including such amendments in the system of the Company's territorial government and administration as past experience may have indicated; the regulations deemed necessary for promoting the discipline and efficiency of the Indian army; the amount of force which his Majesty may be empowered to maintain in India at the expence of the Company, and the provisions that may be thought requisite for settling the relative powers of the board of commissioners and the court of directors. Though these topics were specifically mentioned in the letters from lord Melville to the chairs of the 30th September 1808, and the 21st of March 1812, the court are still, in great measure, uninformed of the arrangements in regard to them, which his Majesty's government may have in view to propose; and we entreat also, that your lordship will enable us to lay before the court of directors, and ultimately the proprietors, in any shape that you may judge fit, the information, additional to that of the merchants already solicited, on which the determination of his Majesty's ministers rests, as to the extension of the trade to the out-ports, and their intentions upon the other parts of the arrangement to which we have now adverted.

The requests we now make appear to us the more reasonable, from the weighty intimation conveyed in the concluding part of your lordship's letter. It brings into view, (to repeat an expression used in our letter of the 15th April,) "questions of the last importance to the safety of the British empire in India, and of the British constitution at home." This is a solemn subject for the country, as well as the Company, if indeed, it should ever come under actual discussion. We have that confidence in the equity and wisdom of the nation, that, notwithstanding all present clamours, they will wish to do the

Company justice, and to guard all the other great interests which must come into question; but prepared as we shall be, if forced into this situation, to maintain the rights and claims of our constituents, we must yet express our hope, that the Company will not be reduced to the hard alternative of thus having to contend for all that is dear to them, or to accept a charter on terms which will not enable them to execute the part hitherto assigned to them in the Indian system.

We have the honour to be, &c.
HUGH INGLIS.
ROBERT THORNTON.

LETTER from the right hon. the President of the Board of Commissioners for the Affairs of India, to the then Chairman and Deputy Chairman of the East India Company.

India Board, 4th January 1813.

Gentlemen; I had the honour to receive your letter of the 30th ultimo, and proceed to convey to you the sentiments of his Majesty's government, as far as it would seem advisable under present circumstances, to continue the discussion.

With respect to your observation, that the representations which induced his Majesty's government to form their opinions upon the subject of the extension of the import trade, have been withheld from the court of directors, and that your objections to that extension have not been "adequately answered," you must allow me to avail myself of this occasion to apprize you, that although his Majesty's government have shown a strong disposition to enter into the most frank and unreserved explanations with the court of directors, they have not felt that it was within the range of their duty to engage in a controversy upon the points at issue; that duty has been sufficiently discharged, in stating, for the information of the court of proprietors, the conditions upon which they were prepared to submit a proposition to parliament for the renewal of the charter, accompanied by such reasons as are conveyed in the communications they have authorized me to make.

I can, however, have no difficulty in acquainting you, that the claims of the merchants connected with the out-ports have not been brought before government by written documents; that they have been urged and discussed at personal conferences with individuals interested in their success; and that you have already been informed of the grounds upon which they were supported; but that it does not appear to his Majesty's government that you can be warranted in expecting that they should give a more particular account of the arguments adduced at those conferences.

I may add, however, that as the merchants and manufacturers connected with the out-ports, considering themselves entitled at the expiration of the charter of the East India Company to carry on that trade from which they had been excluded for a limited time, had entered into a statement of their case by petitions presented to parliament in the course of the last session, you may obtain from those records that further information which you appear desirous to possess.

With regard to those points to which you have alluded, as requiring particular regulation, the ministers of his royal highness the Prince Regent having signified to you, that consistently with their sense of public duty they can submit no arrangement to parliament that does not include an extension of the import trade; and the court of directors having, with a knowledge of their opinions upon that point, by their resolution of the 18th ultimo, declined to recommend to the court of proprietors to agree to such an extension, it would seem premature to enter into details until that shall have been finally determined.

You are apprized of the disposition of his Majesty's government to adhere to the present system of administration in India; and I am not aware that if circumstances should admit of its continuance, it would be necessary to propose any material alteration in the existing provisions for carrying it into execution, except such as may arise from the opening of the trade.

The confidence you express in the wisdom and justice of parliament will, I am persuaded, not be disappointed; nor is it to be supposed, that in the consideration of this great question (to use your own words) "the safety of the British empire in India, and the British constitution at home" will be overlooked either by the legislature or the ministers of the crown.

If the government of India cannot be carried on with safety to the constitution except through the intervention of the Company, the propositions of the court of directors, whatever they may be, must unconditionally be admitted.

It will be for parliament to determine whether the nation is in this respect without an alternative, or whether, if a change of system should be rendered necessary by the decisions of the East India Company, measures might not be taken for opening the trade, and at the same time providing such an administration of the government of India as might be found compatible with the interests and security of the British constitution. I have the honour to be, &c. BUCKINGHAMSHIRE.

LETTER from the Chairman and Deputy Chairman of the East India Company, to the right hon. the Earl of Buckinghamshire, dated the 10th of February 1813;—and his Lordship's Reply thereto, dated the 15th of the same month.

East India House, 10th Feb. 1813.

My lord; by the desire of the court of directors of the East India Company, we have the honour to submit to your lordship, a Report of the Committee of Correspondence; and respectfully to entreat your serious attention to it.

It contains an answer to the matter of the petitions which were last session presented to the House of Commons against the renewal of the Company's charter, and particularly to those arguments to which your lordship was pleased to refer us, in support of the claims of the outports to be opened to the import trade from India and China; it also enters into a review of all the principal questions of a commercial nature which have been agitated by those persons who demand the abolition of the Company's exclusive privileges; and in this minute, my lord, the court hope you will find the following positions, among many others, well established:

First, That the petitioners have not correctly described the present state and effects of the Company's exclusive privileges and trade; nor at all appreciated the evils, political and commercial, which would result from withdrawing those privileges; but have arraigned the monopoly, as if it retained all the strictness given to it a century ago, as if no considerable relaxations had been made in it within the last twenty years, and as if still larger relaxations were not now acquiesced in by the Company.

Secondly, That the clamours which have been raised against the Company on account of the trade of neutrals, particularly the Americans, with India, are wholly unjust; that no such trade, unless with the Portuguese, now exists, and that the prevention of injury from it is easy.

Thirdly, that the petitioners have by no means obviated the objections advanced by the court against the opening of the out-ports, nor in the least proved the expediency or safety of that measure; and that the adoption of it would be attended with those dangers which the court have in their former letters described.

And, fourthly, that all the former reasonings of the court against the practicability of enlarging the consumption of British manufactures in India or China, or of extending profitably the imports of those countries into Britain, are confirmed by the result of the large experiment, which has actually been made by private merchants and traders in the course of near twenty years past; from which experiment, accurately recorded, it appears that not one new article for the consumption of the natives of the East, has in all that time been sent from Great Britain.

And, from this very important fact, new, perhaps, to your lordship and the public, though long existing in the records of the Company, the court of directors join with their committee of correspondence in hoping, that, as the views of the petitioners are unlimited, going, in the first place, to the subversion of all the existing establishments in the India and China trade; as this ruin would be immense, and the compensation which would be due for it, would be immense also; as the political evils which would thence follow, as detailed in the former letters of the court (evils still to be pre-eminently regarded) would fatally affect the interests of the whole empire; and as the means are now offered, of making the fullest and fairest further experiment of the practicability of enlarging the trade to and from India, upon so great a scale as shall admit the whole nation to participate in it; as this is an experiment which may be made without breaking down the present system, and all its establishments; as it affords a method of ascertaining all the good that is attainable, without hazarding the dreadful evils that are otherwise to be apprehended;—we say, my lord, the court of directors do, under these momentous circumstances, earnestly hope, that his Majesty's ministers will still see fit to stop at a safe point, which will give the utmost reasonable concession to one set of men,

whilst it will preserve the interests of British India, of all parties now connected with it, and of the empire at large, from the disastrous consequences of unbounded innovation. We have the honour to be, &c. HUGH INGLIS,
ROBERT THORNTON.

India Board, 15th February 1813.

Gentlemen; I had the honour of receiving your letter of the 10th instant, enclosing a Report of the Committee of Correspondence, to which you desire my serious attention; and you may be assured that the Report will receive that serious and deliberate attention, which has been given to every part of the important subject to which it relates. I have the honour, &c. BUCKINGHAMSHIRE.

REPORT from the Committee of Correspondence to the Court of Directors of the East India Company, dated 9th February 1813:—On the subject of the Trade with the East Indies and China.

The President of the India board having, in his recent letter of the 4th January, referred the court to the petitions presented to parliament, in the course of last session, from the merchants and manufacturers connected with the outports, for fuller information than had been then imparted to the court, concerning the representations which had induced his Majesty's ministers to be of opinion that the import trade from the East Indies should not be confined to the port of London, your Committee determined on examining those petitions as they stand recorded in the votes of the House of Commons. But in going into this task, your Committee found that it involved a review of all the petitions lately preferred against a renewal of the Company's charter, because the arguments in favour of the outports were interspersed through them. The whole of those petitions have therefore been perused; and one remark which immediately presents itself on that perusal, a remark entitled, in the opinion of your Committee, to particular attention, is, that those arguments in behalf of the outports are, in a very material degree, the arguments which are directly urged for the abolition of the whole of the Company's exclusive commercial privileges; and the claims of the outports are contended for, as a part of the entire freedom in the eastern trade, which is demanded for all the subjects of the empire. The places especially which are strictly outports, proceed, in their petitions, upon principles which arraign every species and degree of monopoly; and it is chiefly from those principles that they deduce as a consequence the right of the outports to a free participation in Indian imports. But as, in the deliberate and just opinion of his Majesty's ministers, those principles and arguments are not valid for the main claim of the petitioners, it is to be presumed, that neither can they in the same opinion be valid for the subordinate claim of the outports, so far as it is rested on the same foundations; which, however, are the foundations built on by the generality of the petitions. The few remaining arguments on this question relate principally to the facility and certainty with which the revenue may be collected at the outports; and to the safety with which the honourable men composing the commercial class of this country, may be admitted to all the settlements and countries of the East. But these are mere assertions of opinion, to be classed with the "untried theories," of the time, and as far as the light of experience goes, opposed by it. If they were even proved, which they are in no degree, they would not by any means satisfy all the great interests abroad and at home, which are involved in the question of the outports; and therefore your Committee are entirely at a loss to discover how the arguments in favour of those ports, as they stand in the petitions to parliament, resting chiefly on principles which his Majesty's government do not admit, have so presented themselves to the ministers, as in their view "to establish a claim against an absolute restriction of the import trade to the port of London;" or how, from the *ex parte* representations of those petitions, which proceed on the demand of an entire liberty of trade to India and China, a demand resisted by his Majesty's government, any clear definite idea is to be obtained of that degree of "liberty of trade, which the merchants may enjoy without injury to other important national interests." And hence your Committee humbly conceive, that this problem, so important in its nature, namely, the measure of further liberty which may be safely granted, still remains to be solved, and requires deliberate and accurate investigation.

These remarks may perhaps receive some confirmation from the succinct view which your Committee, enlarging some-

what their first design, are now about to submit, of the principal matters contained in the petitions for the abolition of the Company's commercial privileges, and of the answers to which they are obviously liable: although the same allegations which are thus urged have often been combated, it may be proper, on account of the channel in which they now come forward, and of the publicity of the present discussion, to give some distinct reply to them, which will at least further evince the disposition of the court to shrink from no charge, and to shun no inquiry.

All the material objections which appear in those petitions to the renewal of the Company's charter, may be comprised under the following heads:

1st, That commercial monopolies, especially if extensive and long continued, are in their nature and according to the experience of past ages, inexpedient, impolitic and unjust; and that the monopoly of a joint stock company must be managed with negligence, waste and prodigality, unlikely to be practised by private merchants; (some of the petitions admit that monopolies may be tolerated in the beginnings of trade.)

2dly, That the monopoly of the East India Company has been injurious to the nation, great evils having resulted from it: that it is inadequate to an extended trade; has locked up national capital; has retarded improvement; has not advanced trade, nor carried it to many countries within the Company's limits: that it cools the ardour of generous and liberal competition; has deprived the woollen manufacturers of Gloucester, Wiltshire, Exeter, Shrewsbury, and the manufacturers of other places; some, of supplying an immense population; others, of preparing articles for China, on lower terms than the Company allow; others, of carrying on trade with India and the countries north of it; others, of receiving orders, infinitely beyond what they now obtain from the East India Company: that it is (particularly in the opinion of the Staffordshire potters) unfavourable to the introduction of new articles: that its exports to the East do not amount to a fifth of the exports of this country to America: that all ideas of participation in the profits of a monopoly trade, by payment into the Exchequer, ever will be vain and illusory; of which the disappointment of the nation in regard to the Company, is a complete illustration: that the intention of opening the trade will be frustrated, by leaving the Company any controul over private trade: that it is proved, by undeniable documents, that if the trade be allowed to remain under its present restrictions, it will languish, decay, and pass into the hands of other states: that it must, if continued, diminish the sources of private wealth and national revenue; that the reasonings in favour of the monopoly proceed from narrow partial views, have been demonstrated fallacious, and will apply equally to every other branch of British commerce: that it is humiliating to individuals, degrading to the national character, and a national grievance.

3dly, That notwithstanding the increase of the Company's territories, their trade has decreased, though protected from enemies and hostile rivalry; that since the renewal of the charter in 1793, they have added greatly to their debt; that the pecuniary participation held out to the country in 1793 has not been realized, but has been converted by the East India Company into repeated claims on the public purse and credit for enormous sums to support their establishments; and that further and still greater pecuniary assistance is now required, to avert embarrassments in which they may be soon involved.

4thly, That a full and free right to trade to and with all countries and people in amity with his Majesty, and more particularly those countries acquired and maintained by the efforts and valor of the forces of his Majesty, is naturally the undoubted birthright and inheritance of the people of this empire, of every subject of it, and every port in it, and that the unrestrained exercise of that right is essentially necessary to the maintenance of the manufacturers, and prosperity of the commerce of this country; that the confinement of the Eastern trade to the port of London would be a violation of that right, at once unnecessary, unjust, and impolitic —unnecessary, because the duties may be collected with greater ease and less loss by pilferage in the outports, the taxes on West Indian and American produce being now collected with known safety—unjust, because every mercantile place in the United Kingdom is entitled to the same privileges—and impolitic, because the superior economy and dispatch that prevail in the outports, are requisite to secure an equality with foreign nations. In these claims for the outports, there is a general

concurrence in the petitions from Plymouth, Glasgow, Paisley, Dundee, Arbroath, Leith, Edinburgh, Belfast, Bristol, Liverpool and Hull; of which three last mentioned places, Bristol and Liverpool state, that they have, in contemplation of the opening of the trade to India, enlarged their docks; and Hull, that there should be no restraint as to the size of vessels to be admitted into the Indian trade.

5thly, That no satisfactory reason can be assigned, why the trade to China should not be opened; that the difficulty apprehended in collecting the tea duties is ideal; that the British character forbids injurious suspicions as to inconveniences in India and China from opening the trade: that, in the avowed opinion of one set of petitioners, the merchants of this country should be allowed to trade directly from the East to the British West Indies; and another set claim, that the products of the East shall, without being first landed in this kingdom, be transported to the British West Indies, the American colonies, and all other countries south of Cape Finisterre, and within the Mediterranean.

6thly, That the existing monopoly has, contrary to reason and justice, led to a singular peculiarity, the concession of privileges to foreign nations in amity with his Majesty, which are rigorously denied to merchants of the British empire; or according to others, that the trade is open to all the world except British merchants: that the American States have long enjoyed this trade at the expence of our own people, employing British capital and compelling the Company to shrink from competition; that they have engrossed a great part of this trade and also of that to China, which the Company formerly possessed; that the American merchants being unfettered, have undersold the Company in the markets of Europe, have deprived them of those markets, and also the markets of South America, the West Indies, the Mediterranean and Malta, whilst the English trade has become less extensive and profitable; that the example of the citizens of the United States, who have evinced the superiority of individual industry, when opposed to the negligence and prodigality of a joint stock Company, and the delays and abuses of their concerns, proves the competency of British individuals to carry on an extensive commerce to the East Indies, China, and other countries within the charter of the Company: that the monopoly is favourable to foreigners, injurious to British subjects, and its abolition necessary, to enable British merchants to meet neutrals and other foreigners, in fair competition, with the products of the East, in their own markets: or at least, according to others, that British subjects should be put on a footing with foreigners in this trade.

7thly, That the distresses and privations of the manufacturing and trading classes (distresses aggravated, say some, by the monopoly of the East India Company) under the continental system of Buonaparté, the disputes with America, the exclusion from usual markets, the stagnation or decline of trade, are grievous; that the mercantile, manufacturing, and shipping interests all suffer; that the country is burthened with great naval and military establishments; and that under such hardships, pressures and exclusions, every possible relief is wanted, and new sources of trade ought to be looked for; and that on account of the existing war, and for the maintenance of our naval superiority, and the preservation of our commercial, maritime, and financial interests, an open trade is necessary.

8thly, That it is a well ascertained fact, that during the time of the Protectorate, there were men who boldly violated the Company's charter, and carried on the trade with such success, that they were able to sell the commodities of the East, in the different markets of Europe, on lower terms than had ever been known; and at this day individual merchants have traded to India with profit, even under all the difficulties, delays, and taxes imposed upon them by the Company; that the private trade has continued to increase, although fettered with many restrictions, but that these restrictions deter people unacquainted with India, and residing at home, from engaging in the trade; that a free trade to the East would be a measure admirably calculated for removing present evils, would be a substitute for the loss of European commerce, an equivalent for all other markets, and would necessarily open new and extensive markets, a field greater than any other country offers, and beyond the grasp of the enemy; a field to British skill, industry, and enterprise, and to capital, otherwise useless whilst the national resources are stunted; that thousands who are now reduced to idleness and poverty, might be actively engaged; that the capital spirit and knowledge of British

merchants are unbounded;—that a free trade to India would turn the wealth acquired by the foreign merchant, into the pockets of the subjects of this country; would excite a fair emulation to bring all the produce of the East to its proper level in the home market, to the great benefit of this country; would enable our manufacturers with more advantage to exert their skill and industry to produce new articles of trade, and to give full employment to the operative classes of the community; would circulate the trade, now confined to London, through every part of the United Kingdom; would be the means of increasing our maritime strength, our financial resources, and the wealth and glory of the British empire. Such is the general tenor of the Petitions on this head; but the language of the one from Sheffield is so animated and sanguine, that it may not be improper to transcribe a part of it:—"The petitioners are fully persuaded if the trade to the East Indies were thrown open to all his Majesty's subjects, such new and abundant markets would be discovered and established, as would enable them to set at defiance every effort to injure them, by that sworn enemy to the prosperity and the peace of Europe, the present unprincipled ruler of France; and that the petitioners doubt not, if the trade of this United Kingdom were permitted to flow unimpeded over those extensive, luxuriant, and opulent regions, though it might in the outset, like a torrent represt and swollen by obstruction, when its sluices were first opened, break forth with uncontrolable impetuosity, deluging, instead of supplying the district before it; yet that very violence which at the beginning might be partially injurious, would in the issue prove highly and permanently beneficial; no part being unvisited, the waters of commerce that spread over the face of the land, as they subsided would wear themselves channels through which they might continue to flow ever afterwards, in regular and fertilizing streams; and that to the wealthy, enterprizing, honourable, and indefatigable British merchant, conducting in person his own concerns, no obstacle would prove insurmountable, no prejudice invincible, no difficulty disheartening; wants where he found them he would supply; where they did not exist he would create them, by affording the means of gratification."

9thly, That the imagined hardship of depriving the Company of the only lucrative branch of their trade, that to China, will be alleviated by the wealth, influence, knowledge, and experience, which in their united capacity they will still be enabled to oppose to the unassisted efforts of private merchants:—that if, indeed, the Company can carry on trade to greater advantage than the private merchant, they have nothing to fear, they will reap their merited reward by the benefit of competition; and without competition neither would commerce have risen to its present standard, nor will it increase to bear the increasing expences of the nation. And with respect to the danger of excessive speculation, it is said by Glasgow to be imaginary, because the enterprise of individuals is uniformly limited by their means and success; because any evil of this nature is temporary and checks itself; and that the very worst that can occur in the event of the abandonment of the trade by the public, would be, that matters would again return to their present state. On all the grounds, therefore, stated in the Petitions, they in general require a full and entire freedom of trade to the eastward of the Cape of Good Hope, including China, and all the countries within the charter of the East India Company; and for the means of indemnifying or remunerating the claims of the Company, one Petition proposes "a fair and equal impost on the trade in question."

Your Committee having thus submitted an abstract, under different heads, of the contents of the petitions, in which abstract they are persuaded nothing material is omitted, will now proceed to offer some observations on each of those heads.

And first, With regard to the doctrine of monopolies in general, your Committee do not conceive that they are much called upon to enter into any discussion of it; because what is termed the monopoly of the East India Company is, as it now exists and has long existed, an institution of a singular nature, formed upon principles peculiar to itself, not merely or chiefly for the purposes of trade, and must be examined with reference to the ends of its institution, and the importance of those ends, which will be the subject of the next article. In the mean time, it may be observed upon this first head, that the ablest writers upon political economy, and the most strenuous against monopolies, have not condemned them simply and universally, as

most of the petitions now in question do. Even Dr. Adam Smith acquiesces in the establishment of the chartered banks of *England* and Scotland, which are a species of monopoly; and he praises the Act of Navigation, which is founded on the principle of exclusive privilege. He admits also the propriety of a temporary monopoly of new machines and new books; and what is more immediately to the present purpose, he grants, in agreement with Montesquieu and others, as some of the petitioners seem also candidly to allow, that "when a company of merchants (to use his own words) undertake, at their own risk and expence, to establish a new trade with some remote and barbarous nation, it may not be unreasonable to incorporate them into a joint stock company, and to grant them a monopoly, in case of their success, for a certain number of years. It is the easiest and most natural way in which a state can recompence them for hazarding a dangerous and expensive experiment, of which the public is afterwards to reap the benefit." But, even in this proposition, it may be observed, that the interests of the two parties, the company of merchants and the public, seem scarcely to be equally cared for. The privilege given by the state, is a privilege for its own benefit, which is to cost it nothing, should the experiment fail; and of which it is to enjoy the permanent advantage, if the experiment succeed. It is safe from loss; and, besides its share of what present advantage there may be, is to have ultimately the fee simple of all the gain that may result. Undoubtedly, in this case, the term of enjoyment by the merchants, after all the season of hazard and vicissitude is past, should be ample; and it were to be wished, that those who are now so eager to take gratuitous possession of all the commercial establishments formed at such immense risks and expence by the East India Company, would consider more equitably than the language of their petitions does, the fair claims of a body, even if regarded merely in a commercial light, who have hitherto been working, through a long series of time, of difficulties and dangers, to the vast benefit of the nation, whilst their own fair compensation yet remains to be obtained.

Secondly, With respect to that species of exclusive privilege, called the East India Company's monopoly, your Committee cannot begin their remarks upon the accusations brought against it, without lamenting the surprising want of information which the generality of the petitioners discover relative to the Company's system, conduct and affairs; and your Committee are compelled to add, a mortifying defect of attention also regarding things that could not possibly be unknown to the petitioners; they treat the whole question of the monopoly, as if it were purely a commercial question; as if it involved no high question of policy; as if it stood unconnected with the acquisition, the government and the preservation of a great Indian empire; and as if, from its political relations, the question concerning it had no bearing on the British constitution. Thus, say some of the petitioners, "the reasonings in favour of the monopoly proceed from narrow partial views, demonstrated to be fallacious, and which will apply equally to every other branch of British commerce;" whereas it is abundantly obvious, that the exclusive commercial privileges enjoyed by the Company in the Indian trade (however well entitled they are to them on other accounts) are contended for by them, and have been continued by the legislature, mainly because deemed to be necessary for the political government of India, and not at all on account of any pecuniary participation, which one of the petitions erroneously assumes to be now in question. The same cause also was understood to require the continuance of the China monopoly, though that privilege stands upon other irrefragable grounds, as the unlimited admission of British ships into any quarter of the Eastern Seas could not be thought compatible with the system adopted for the security of our Eastern territorial possessions. The commercial monopoly therefore is, in a word, an instrument in the hands of the Company, for the political government of India. Such it has been maintained by them, and admitted by ministers in the discussions respecting the charter to be; but this great truth, either as a fact or as a principle, is unnoticed in the petitions. Some of the petitioners are indeed so just as to recollect that the India Company have territorial rights, and to say that it is not their wish to trench upon them; but they do not seem to be aware, that those rights can be enjoyed only through the medium of commercial privileges, or that any provision can be made for securing them compatibly with their own claims for an universal

opening of the Eastern trade. The petitioners proceed, not only as if the renewal of the privileges in the Indian trade were merely a question of commerce, but as if it were a question of strict monopoly, such as was agitated in king William's time. To the admission given to private merchants into the Indian trade, by the Act of 1793, enlarged by the arrangement of 1802, and in practice occasionally still further extended (not to speak of the considerable privileges enjoyed by the commanders and officers of the Company's ships) the petitioners do not advert, except to blame the Company for the alleged inefficiency of all those concessions, which in reality greatly relaxed the monopoly, and made it what the late lord Melville called a regulated or qualified monopoly. In thus censuring the Company, the petitioners resort to some representations formerly brought against them, and sufficiently answered on their part; except in respect to the irregular dispatch of the extra ships from India, a matter originating with the governments there from the political circumstances of the times; but that controversy is now past, and quite irrelevant to the present state of things: for another point to be held up to particular attention is, that the Company have lately acquiesced in vastly larger concessions, that is, in a general trade between the United Kingdom and India, through the port of London. Yet this new and great change in the Indian system, the petitioners too generally overlook. That it has ever attracted their notice is only to be inferred from their contending that the trade shall be general to all the ports of the kingdom; but, in their attacks upon the Company, they act as if the whole original structure of the monopoly were still standing and obstinately defended; and when the Company acquiesce in large relaxations, the petitioners nevertheless persist in charging them with all the evils of the most rigid monopoly, for the purpose as it would seem of aggravating the case against the Company in the eyes of parliament and of the public, and strengthening the prejudices which so much pains have been taken to diffuse. Thus the political part of the Company's system and its intimate connexion with commerce, is left entirely out of sight; and the present state of the Company's commercial privileges is not accurately represented, nor the actual state of the question concerning the future measure of those privileges fairly brought into view.

But it ought to be again and again pressed upon the public attention, that the first and great object in any new arrangement for India, is not commercial, but political; and that the safe and beneficial administration of that empire, is a consideration paramount to all others. No one has denied, either that the Company have conducted and do conduct the administration to the great improvement of the security and happiness of the vast population that empire contains, or that the government of it should remain with them, and consequently that the means requisite to enable them to continue to execute so great a trust, should also be afforded. The nature and extent of those means form, therefore, the precise question now at issue; but on this important point, as has been already intimated, the petitions in general are quite silent, and the propositions contained in them go to deprive the Company wholly of those means, particularly the monopoly of the China trade, the reasons for continuing which will be explained in a subsequent head.

With regard to the effects of the monopoly on the manufactures, trade, and other interests of this country, if any thing said in these days to the discredit of the Company, could occasion surprise, it would be the representations given in the petitions on that head. The Company are accused of obstructing the export of the manufactures of this country, even by some (with an honourable exception of the rest) of those woollen manufacturers who have owed their chief employment to the Company's commissions, continued for the benefit of the nation, under a certainty of deriving no profit from the exported article.

Of those "undeniable documents," by which one of the petitions in an authoritative style affirms, "it is proved, that if the trade be allowed to remain under its present restrictions, it will languish, decay, and pass into the hands of other states; that the monopoly must, if continued, diminish the resources of private wealth and of national revenue;" your Committee have never heard, and they cannot conceive that any such documents exist. It is more probable that the petitioners have put their own sense upon the statements of the Company, which furnish the most authentic materials in this case, and if fairly examined, with a reference to other relative circumstances, will lead to conclusions directly opposite. The sub-

ject of the American trade to India, which seems chiefly alluded to, will be discussed in the sequel. That trade, as will hereafter more fully appear, has owed its increase essentially to the state of war in which this nation has been placed for a long series of years past. If the American trade with India were still going on, a much easier and juster remedy for the alleged evils of it could be found, than the extinction of the Company's remaining commercial privileges. But these heavy forebodings are pronounced, when America and every European nation (the distressed one of Portugal excepted) are actually wholly excluded from the Indian seas.

There seems to be a general and deplorable delusion respecting the practicability of a vast extension of the sale of the manufactures of this country, in India and China, and of the productions of those countries here. This question will be the immediate subject of a following article; but your Committee may, in the mean time, confidently say that the Company have, in a long course of years, made more numerous, persevering, costly experiments, in attempting to push the vent of British commodities, particularly woollens and metals, in the East, than the means, the resources, the safety of private merchants, are likely to enable them to make. The correspondence of the Company with their servants abroad at different periods, on this interesting concern, would fill many volumes. That the East India Company, far from impeding the prosperity of the country, as the petitions, in opposition to history and experience, allege, have by means of their monopoly essentially contributed to its wealth and its greatness, it will be much more easy to shew, than to discover accurately where the limit of the advantages resulting from their institution is to be fixed. They gave a very early impulse to the manufactures and trade of this country; they opened a new commerce, not with the East only, but, by means of their returns from thence, with foreign Europe; they soon increased the ship-building and improved the navigation of the kingdom, both which they have, in latter times, carried to a degree of advancement that has made their fleets serviceable in the wars of the nation, and the commanders successful in adding to the naval glory of their country. Against the jealous rivalship of the Portuguese and Dutch, they, through a long course of hostilities, from a superior force, maintained for this nation a share in the India trade; they preserved it from being totally lost, amidst all the convulsions of the civil wars; they outlived even the more dangerous innovations of subsequent periods; they upheld in India the national interests against the ambitious designs of European enemies, and the despotic violence of native powers; and in a long and arduous struggle, maintained, with little exception, at their own expence, they acquired a territorial empire for the mother country, which exalted its rank in the scale of nations. They have since expelled every European nation, except our ally of Portugal, from the Indian continent and ocean, and they have given a better government to an immensely extended empire, than the East ever saw before.

In all this progress, not the ability and wisdom of their civil servants only have been conspicuous, but the talents and valour of their military officers have signally added to the glory and renown of the British nation. By those officers, a grand army has been formed of native troops, in discipline, attachment and efficiency, a just subject of admiration; and from the time of the first Clive downward, the exploits performed by the Company's military servants in India, equal in brilliancy those recorded in any period of modern history.

To all these public benefits is to be added, the direct wealth with which the Company have been the means of enriching the nation. The amount of these contributions, consisting in the profits of manufacturers, ship-builders and tradesmen, ship-owners and officers, servants and labourers, miners, re-exporters of Eastern productions to foreign parts, and other descriptions of persons gaining by the Company's trade, in dividends to proprietors, payments to government, and the influx of private fortunes acquired in India, especially in the last fifty-five years, may perhaps be moderately estimated at 100 millions sterling. Such are the injuries, the grievances, the evils, such the degradation, which the East India Company have brought on the country.

Thirdly, The charges under the third head are nothing more than groundless accusations, calculated to render the Company unpopular, and, except the first article, which is new, have been often answered: as to this article, it is not true that, on the whole, the Company's imports have decreased, although the sales

have in some years, fallen off, by the exclusion of British commodities from the European continent; an evil common to all the merchants of this country, but now the occasion of a charge against the Company. And what virtue can the expulsion of enemies and rivals from the Indian seas have to increase trade, if, when merchandize is brought to Europe, there is only a tardy and diminished sale for it? Again, is it a thing of course, that recently acquired provinces, impoverished, unsettled, containing a people every way dissimilar to us, should purchase our commodities, when the inhabitants of other parts of Hindostan, where we have been settled for ages, have still so little relish for them? The stipulation in the Act of 1793, for a pecuniary participation by the public, was a conditional stipulation, depending on a contingency, which has never become a reality but in one year, that immediately following the last renewal of the charter. The long war in which, with hardly any intermission, this country has been engaged ever since 1793, has, by increasing the Company's expences beyond the most extravagant supposition that could have been previously formed on that head, absorbed all the expected sources of accumulation. Of this, every administration since 1794 has been sensible; but the same utterly groundless charge continues to be repeated. "This promised participation," say some of the petitions, "has been converted by the Company into repeated claims on the public purse, and credit for enormous sums, to support their establishments:" a most unfounded statement. The Company have never had occasion to apply for aid to support their establishments; their applications to parliament have either been in consequence of levies by government on the score of participation in the territorial revenues, or for reimbursement of immense sums expended for the state in military expeditions; sums very tardily acknowledged, and not yet fully paid: or to enable the Company to meet the transfer of Indian territorial debt to this country; a debt not increased by their order, or according to their wish, though the petitions charge the increase to them, but sanctioned by his Majesty's government and by parliament; a debt which, every intelligent person knows, it never was or can be possible, in the nature of things, to discharge out of the Company's commercial funds, and therefore most unjustly made a ground of accusation against them.

Fourthly, The claim to a full and free trade, as the right by birth and inheritance of every subject in the realm, and the arguments in favour of extending it to the outports, are contained under the fourth head.

With regard to the general position on which the arguments are founded, little need be said. It is an obvious principle, that men, living in society, must submit to the laws of the society and to restraints upon their natural liberty, when the public interest, in the opinion of the legislative authority, requires it. The Indian monopoly was at first established, because it was thought beneficial to the commercial interests of the country. It was long continued on the same principle; now it is more a political than a commercial question. It may be stated thus:—whether it be more for the interest of the nation to maintain the Indian empire, under the system which has hitherto preserved and improved it,—a system greatly relaxed as to the trade with India, and which has also preserved a lucrative commercial intercourse with China,—or to adopt a system of entirely free commercial communication with both countries at the hazard of losing that empire and the China trade, or of rendering the tranquillity and retention of the one, and the enjoyment of the other, less secure. Until this question, or one reduced to still lower terms, namely, whether it would be prudent, for the sake of the object in view, to run any hazard where the stake is so great, is solved in favour of an open trade, the plea of natural inherent right has no title to be heard. No such solution has yet been produced. It has, on the contrary, been shewn, that dangers and disadvantages, both in the East and at home, would attend the opening of the trade; but it has not been shewn, that any measures which have been suggested as preventives, would be at all effectual. No adequate provision, therefore, against those dangers and disadvantages is yet proposed; hence it may fairly be presumed, none has been found. But, until such a remedy is discovered, the present system ought not to be overturned. The opening of the outports would, according to the unanswered reasonings of the court, have this effect. The opening of a part of the outports would lead to the same effect, though, perhaps, by a somewhat slower progress;

for it would immediately reduce and derange the periodical public sales of the Company, which is the master wheel in the mechanism of their import trade. His Majesty's ministers, in not proposing to open all the outports, both admit the contingency of danger from such a measure, and set aside the argument of universal inherent right; but it remains utterly unproved, that danger would not result from opening even a few outports, especially if the export trade is allowed to all; and that after any had been so privileged, which would be in effect a monopoly against the rest, those others would never be quiet, until they also were admitted; so that the whole of the danger will follow from the first step, and ought to be contemplated accordingly. It may just be observed, that the quality ascribed to certain countries, as giving the petitioners more particularly a right to a free trade with them; the quality of having been "acquired and maintained by the efforts and valour of the forces of his Majesty," properly appertains neither to Hindostan nor to China, and that the territories held by the Company were acquired by undue exclusive powers and privileges received from the legislature.

Upon the same ground of natural inherent right, and of the necessity of the exercise of that right, as essential to the maintenance of the manufactures and commercial prosperity of the country, is placed the claim of the out-ports to a free importation of goods from India and China. Under the fourth head, therefore, your Committee have collected the strength of the arguments contained in the petitions in support of this claim; arguments to which the President of the India Board was pleased to refer the court. The argument of inherent right has been already considered; the other arguments, which may be given in the words of the Glasgow petition, are, "That the confinement of the Indian imports to the port of London would be unnecessary, impolitic and unjust: unnecessary because, first, the ideal difficulty of collecting the taxes is fully obviated, by the known safety with which the duties are levied on articles of West Indian and American produce: and secondly, because the duties may be collected with greater ease, and less loss from pilferage, in the outports; unjust, because every mercantile place in the kingdom is entitled to the same privileges; and impolitic, because the superior economy and dispatch that prevail at the outports are requisite to secure an equality with foreign nations."

On the second of these three arguments it may be observed; that the claim of all the outports of a participation in the Indian trade, as matter of equal right, stands upon the same principle as the claim of all individuals, which has just been considered, and must be determined in the same way and order; it therefore demands no farther notice here. If it shall be judged, that no larger interest than that of the outports opposes their claim, then, and then only, will it be entitled to attention.

The first argument is; the known safety and greater facility, with which duties are collected at the outports. Whether that facility be, in fact, greater or not, it is needless to examine. If it were indeed so, it would still leave undecided a much more important question; the danger of smuggling. On that danger the court have enlarged in their letters to the President of the India Board, of the 13th Jan. 1809, and 15th and 29th of April 1812. Your Committee cannot but hope, that these letters will be perused by members of parliament, as their contents are material to a just consideration of the subject. The court have respectfully stated to lord Buckinghamshire, that no adequate answer has been given to these letters: his lordship in addition to what he has himself said, has referred the court to the petitions. The argument just quoted, is the most direct and indeed the only one to the point which your Committee have discovered in all the petitions. But it does not meet the main objections of the court, taken from the danger of smuggling; they remain untouched and unnoticed.

Those dangers were contemplated, upon the supposition, that only the opening of the Indian trade was in question; and in this way your Committee will now consider them, reserving to a future article some remarks on the still greater danger of smuggling, which would follow, if the China monopoly were abolished; and which would be experienced, whilst our merchants were permitted to visit China at all. It is from the facilities of smuggling tea, that ships cleared out for or from India, would find in the Eastern Islands, in the voyage home, and on the coasts of Scotland or Ireland, that the court have apprehended the chief dangers would arise. In the Eastern Islands there are no custom-houses, clearances, or manifests.

There are great ranges of coasts in the remoter parts of the United Kingdom, where there is no custom-house: bulk might be broken, and no detection follow where the ship should afterwards be regularly entered. It does not in the least follow, that these evils might not happen, though it should be true, that the taxes on West Indian and American commodities are safely collected; for these commodities come generally in very large unwieldy casks or packages, are, in proportion to their bulk, of much less value than tea, which is also packed in small portable cases, and they come from countries abounding with regular custom-houses, whence they cannot sail without manifests and clearances; yet with all these safeguards, your Committee are credibly informed, that the Americans find means to smuggle tea into this country. But, even supposing ships came direct to an outport, without having broken bulk, what comparison is there between the collection of duties at any port, provincial or metropolitan, and the collection of tea duties with perfect certainty, facility, and a very trifling expence, at the India House? The objections stated at large in the court's letters, your Committee beg leave to repeat, remain without any sound answer; and it is extremely material to observe, that the opinions maintained in them, on this subject, are corroborated by the reports which the Boards of Customs and Excise have made to his Majesty's ministers, respecting the danger that would arise to the revenue, from the adoption of the new system; a danger which, in their judgment, would be inevitable.

The third argument urged in the petitions, is taken from the necessity of securing an equality with foreign nations, which it is said, the superior economy and dispatch at the outports will do. If this alleged advantage of the outports were admitted, it would in the opinion of your Committee, weigh but little in the general question. The difference cannot be material in itself, and its effect little, in a trade so unlikely to become of any magnitude.

There are, however, other considerations of great weight belonging to the question of opening the outports, to which the petitions do not advert. One of these is, the immense interests which the port of London, with all its descriptions of merchants, tradesmen, tea dealers, factors, brokers, dyers, packers, callenderers, inspectors, labourers, ship-builders, ship-chandlers, rope-makers, ship-owners, mariners, and all their train of establishments, warehouses, wharfs, docks, yards, premises, shipping, formed in the course of two centuries, in which the Company's privilege, and the law of the land, have made the metropolis the sole seat of the Eastern commerce; all these interests, with the corporation of London, have represented to parliament, the ruin in which they would be involved by the opening of the trade to the outports. The Company's periodical public sales, on which so much of the order and success of their business depend, would be interfered with, and their very large property in warehouses and other buildings deteriorated; in short, all the institutions, public and private, of the capital, for carrying on the Eastern trade, would be shattered or broken down. The removal of the trade would effect this, although the new speculations and enterprises would establish nothing equivalent in other places, far less compensate the losses of the supplanted parties. Your Committee cannot go into this subject sufficiently to give a just sense of the magnitude and importance of it; but they may seriously ask—Is the case equal between the people of London and those of the outports? Would it be right to expose to privation and ruin one set, by withdrawing from them what they have long enjoyed, in order to add to the comfortable provision the other set already possess; and this only to save them the slight inconvenience of bringing their Indian imports to the port of London.

Let it never be forgotten too, that the Indian people are concerned in this question; the court have already in their letters to lord Melville and lord Buckinghamshire stated their apprehensions, that the opening of the outports to imports from India, might increase the resort of European adventurers to India. It has been advanced in return from some quarters, that the police of India is so excellent as to obviate every danger of this kind; your Committee are sorry to observe, that they find in the records of the Bengal government, informations concerning the police, which do not warrant them to conclude quite so favourably of it; for in fact, with all the progressive improvements in the system of the government there, they have not yet been able to bring the police into a state of perfect efficiency.

The Fifth Report of the Committee of the House of Commons has entered much into this subject, and one quotation from the conclusion of it, may suffice to justify this observation:—" It does not, therefore, appear to have been from any want of information in regard to the imperfect states of the police, that the government was unable to prevent its becoming worse; but rather, as your Committee should suppose, from the difficulties which presented themselves to the application of an efficacious remedy."

Fifthly, On the China monopoly. Besides the connection already noticed of the China monopoly, with the policy of our Indian system, the uniting of this trade under one head is necessary, both on account of the extreme caution required in the conduct of our intercourse with so jealous and inflexible a government as the Chinese, and of the security of the large revenue derived by the British public, from that branch of commerce. The habits of the Chinese nation are known to be as fixed as they are peculiar; their government is a pure despotism, jealous of the smallest tendency to insubordination or innovation; the people are guided by a principle of implicit submission to their superiors; and both government and people, hold all disorderly conduct in the utmost abhorrence. Foreign trade is held in low estimation, and the commerce which Europeans have been permitted to carry on is subjected to manifold and rigorous restrictions, intended to prevent the intermixture of strangers with the natives, and to guard against their entrance into the interior of the country, and hazard of their becoming in any way, troublesome to the government. The ships of European nations are allowed to resort to only one port in an empire of so vast extent; and there even no stranger is permitted a constant residence without credentials from the sovereign of the state to which he belongs. When a factory is established, for which one spot is fixed, the factors are confined to very narrow precincts around it; they dare not make an excursion beyond those precincts into the open fields, nor enter into the closely adjoining city of Canton. The government of China does not allow to its own subjects freedom of trade, or unrestrained intercourse with foreigners: both are interdicted; and the restrictions imposed, together with the sumptuary laws in force, oppose the strongest obstacles to any great extension of the sale of our manufactures among the Chinese. The trade with Europeans is given in monopoly to a company of ten or twelve Chinese merchants, styled the Hong; and these merchants become responsible to the government for the conduct of the foreigners with whom they deal. After the ships are dispatched for the season, the factors are obliged to withdraw to the island of Macao, a low Portuguese settlement, till the ships of next year arrive. And with respect to the ships, they are, whilst in harbour, under the controul of the Chinese officers, who are empowered by law to take the custody of their guns—and if, in the intercourses, and consequent frays, between the natives and our English sailors, one of the former happens to meet his death, by accident, from an unknown hand, it may produce the most serious consequences; for the Chinese government has been known, in such a case, to claim the life of an European in expiation; and for an occurrence like this the Company's establishment is held responsible, and their trade liable to be stopped. With a government so absolute in requiring implicit conformity to its peculiar laws and usages, and so marked with pride, suspicion, and despotism, British subjects have the utmost difficulty to act; and the Company's agents frequently submit to caprices and humiliations, to which the honour of a sovereign would not allow any representative of his to yield. Is it, therefore, in the least probable, that the Chinese would tolerate the indiscriminate ingress of numberless unconnected, unaccredited Europeans? or if they did give them admission, that their multiplied, irregular, desultory visits and intercourses with the natives, would not be attended with disorders; with violations of Chinese usages (with smuggling for instance, a high offence in China) which would soon end in the utter expulsion and exclusion of these strangers, or in such injustice and humiliating punishments on the part of the Chinese government, as might call on the honour of this country to demand redress? The splendid embassy which his Majesty sent by lord Macartney to the emperor of China, had, with all its imposing attendant circumstances, and all the skilful address of that nobleman, no influence to induce the Chinese government to relax from their rigid restrictions on the commerce and intercourse of British subjects with its territories; and it may be safely con-

cluded, that all which that government must have since heard respecting the revotionary system. To all these probable dangers, the petitioners oppose nothing but the honourable character of Britons, and the example of the American adventutions in Europe, will make it adhere still more obstinately to its jealous precauturers to China. Frail dependence!—British sailors carry to every shore their habits of excess, as is too often found in the Company's ships, notwithstanding the strict discipline established in them. The American seamen are a much more sober and quiet class of people, and the adventurers of that nation have derived in China a sanction from the pre-establishment and credit of the English factory, to which, from their language and manners, they appeared to be related. It is, indeed, by the prudent respectable conduct of the Company's representatives there, in the management of their own trust, and the controul exercised by them over other British subjects; it is by this means, and by the extent and regularity of the Company's dealings; by their probity, now so famed, as to pass the bales which have their mark, without inspection, through the Chinese empire, that this jealous and supercilious people have been at length greatly conciliated; but the Company's establishment could not, on the principles now proposed, retain either its credit or position. To expose a trade of such value and importance to the nation and the revenue, to hazards so great; to break down the present system, with the immense establishments and property connected with it, particularly the China fleet of the Company, a thing unparalleled in the commercial annals of the world, would therefore, in every view, commercial, financial, and political, be utterly unwise; and if this desperate risk were run, further evils would await the new system at home. Upon the supposition of a general resort of British ships to China, how would it be possible to prevent the smuggling of tea on the coasts of England, Scotland and Ireland, with the facility which exists of receiving that article on board in many of the Eastern islands, where there are no custom-houses, and with the temptation of evading a duty of 95 per cent. at home. The petitions offer not the least satisfaction on this point; a point highly interesting, as has already appeared, if the question were only about opening the Indian trade to the out-ports; but yet more interesting in respect to the proposal for laying open the China trade, which is, at the best, a proposal to incur the most imminent risk of losing that trade, and the great revenue arising from it, merely in order to change the hands through which it shall pass; for supposing it to be preserved to the nation, there is no reasonable ground to think that it could be increased, because the Chinese now take our woollens only in barter for tea, and the present importations of tea are as large as the country requires.

Sixthly. On the complaints of the superior advantages enjoyed by neutrals, particularly the Americans, in the Indian trade. The vessels of the American States first appeared in the Indian seas about the year 1785. At that time several European nations possessed settlements on the continent of India, in virtue of grants from the native sovereigns, recognized by this country, after the Company obtained territorial dominion. It had not then been disputed, that those settlements might receive other European flags as well as their own (though the Company have within these few years, properly held, that the original grant gave a right of trade only for the ships of the nation to whom the grant was made,) therefore the Bengal government thought it politic to admit the American ships into the British ports, rather than oblige them by refusal, to carry their custom to the French, Dutch, and Danes. This was, however, merely a gratuitous licence, revokable at pleasure. But in 1794, the government of this country, induced by the political circumstances of the time, gave to the United States by treaty, a right to a direct trade between their own ports and those of British India, on the terms of the most favoured nation; and in 1797, the privilege of free ingress to the British ports in India was conferred on all friendly nations. By the long continuance of the war which followed the French revolution, these concessions proved of unforeseen high advantage to the subjects of the American States. The settlements on the Indian continent, of the French, and of the Dutch and Danes, who had fallen under French influence, were successively captured by the English. The Portuguese and Americans were then the only neutrals who frequented the Indian seas; and the troubles of Portugal at length left the neutral trade very much in the hands of the Americans, who succeeded in effect to

the excluded traders of foreign Europe, and supplied their wants, as well as those of the increasing population of the United States, and the demands of Spanish America. The subjects of those states, undoubtedly, abused the privileges conceded to them by his Majesty's government, in the Indian trade; they were by treaty restricted to a direct trade between America and India; but they visited the ports of foreign Europe going and returning, and became the general carriers. They even supplied our own West Indian and North American colonies with Eastern commodities, and they entered actively into the China trade, deriving a facility of admission there, from being viewed as a cast of Englishmen; perhaps also, a sanction from the countenance of the British establishment there.

For several years after the appearance of the Americans in the Indian seas, they were, no doubt, assisted by British capital; partly by that which wanted a remittance to Europe, but to no very great amount. They exported from Bengal, in ten years, through which their trade on the whole was considerably progressive, and which ended with 1804-5, goods to the amount of sicca rupees 371,50,029 (4,643,575*l.*) or 464,357*l.* per annum; and they imported to the amount of sicca rupees 3,12,48,544 (3,906,068*l.*) or 390,606*l.* per annum. The excess of exports above the imports, being in ten years 737,507*l.*, or 73,750*l.* per annum, may be supposed to be the property of British residents in Bengal, remitted by the way of America. Whether they were furnished with British capital from London, and to what amount, it is difficult to ascertain; but it appears evident, that as they proceeded in the trade, their imports to Bengal more nearly equalled their exports, which shews they were better able to do without Indo-British assistance, and probably it was the same as to European assistance. Upon this trade, however offensive to our private merchants, and in some views also to the Company, it may be justly observed, that it was favourable to British India. It carried seasonable and large supplies of bullion to that country, from year to year; not above a seventh of its imports being in goods, and these chiefly wines and other articles for the consumption of Europeans: it also carried the commodities of India to foreign Europe, to Spanish America, and other places to which British ships, on account of the war, could have no access; and when, by the policy and increasing power of Buonaparté, the produce of this country and its colonies were nearly shut out from the continent, the Americans still continued to introduce the commodities of India there, and with the returns of their adventures they probably purchased English manufactures to carry to the American continent; so that this country also eventually benefited by their Indian trade: and, however much their large participation of that trade became a matter of complaint among English merchants connected with India, it is certain, that whilst we were engaged in war with almost all Europe, those merchants could not, even by circuitous means, have occupied the place which the Americans filled in the Indian commerce; of which position no other proof is necessary, than the frequent want of sales for the goods, public and private, actually brought into the India-house during the period in question. The great progress and profit made by the Americans in the Indian trade, therefore, proceed essentially, not from their activity, or the advantage of individual enterprise, but from their neutral character; which, besides giving them access to countries from which belligerents are shut out, enables them to navigate more cheaply, easily and expeditiously; and it may be taken as a certainty, that whenever war ceases, all their advantages will cease with it, and their power of entering into competition with us in the trade of our own settlements, be very greatly reduced. The cry that has been raised and continued against the Company on this account, confessedly with the view of obtaining a general admission of Indian ships into England, is therefore altogether unfair. If a circuitous trade in Indian commodities, from Britain to foreign parts, has been prevented by the rivalship of the Americans, the Company have suffered as well as individuals. They have suffered also by the smuggling of eastern articles from America, into our West Indian and North American colonies. They were anxious to check the abuses of the treaty of 1794, and, when it expired, they obtained the consent of his Majesty's ministers to impose a double duty on the neutral trade with India, which then applied almost solely to the Americans: but if the complaints against the rivalship of the Americans in the Indian trade had been well founded, what was the natural and proper

remedy? Was it, that the Company, part of whose own trade had, during the war, passed into American hands, should sacrifice the rest of their exclusive privileges, and, by the extinction of them, endanger the territorial possessions? Or was it not obviously, that the Americans should be excluded from a trade supposed to be carried on at the expence of Great Britain? Yet this cry is still unaccountably kept up, even when we are at war with America, and the flag of the United States dares not be seen in the Indian seas! Nay, it is kept up to injure the cause of the Company, after they have actually agreed on enlargements of the trade to England, greater than ever were contemplated, even by the private merchants of India, before the present negociation; and, if enlargements could effect the object, more than sufficient to bring the whole Indian trade of the Americans to the port of London.

It is singular that the party who complains of the large share that has been engrossed by the Americans of the Indian trade, should be the same party who complain also of the large share which the Americans, in a state of neutrality, enjoyed of the British trade between Great Britain and foreign nations. It is well known, that previously to the rupture between England and the United States, it was urged as a grievance, that though America exported from this country to the amount of twelve millions sterling annually, the country was not benefited to the utmost possible extent from this export trade, because the British merchants and manufacturers were, by the intervention of America, deprived of the carrying and of the second selling profit upon the manufactures. America, it was alleged, bought from us to a great extent, and Great Britain was, to a certain degree, a gainer to the extent of the American purchases; but because America sold our goods at second hand (to the Spanish Americans for example) it has been alleged, that had it not been for the intervention of the North American States, we should have supplied Spanish America, and in addition to the profits we have received, would have engrossed all the advantage which has accrued to the merchants of the United States from the carrying and circuitous trade. But may it not, on the other hand, be argued, that if the British manufacturers, in an open trade and during a state of war, have found the assistance of America necessary to the circulation of their own manufactures, the same assistance was wanted by the manufacturers of India to the circulation of their productions; that the large exports from India, as well as the large exports from Great Britain, by the Americans, were owing to their neutral character; that if the trade between India and England had been as open as is now contended for, the quantity of Indian goods, circulated through the world, could not have been greater than it has been, under the competition that has actually existed between the merchants of the United States, and the East India Company, and that a greater share in the export trade from India could only have been obtained for the free British traders in one of these ways, either by America abandoning, or Great Britain returning to her pacific relations with other countries. If a free trade has the virtue that is imputed to it, why, under complete freedom of trade, has this country been rendered tributary to America for a rent to the produce of British industry? and if the pacific relations of states pass for no account in such a question, whence the congratulations we so often hear upon what we have gained, and may yet gain, by the rupture with America?

Seventhly, That the distresses of the manufacturers, the exclusion of our trade from the continent of Europe and from North America, its consequent great decline and, the support of the war, require new channels of enterprise, and therefore an open trade.

Every British heart must lament the obstructions to which our commerce has been subjected, must wish for the removal of all continental exclusions as well as of our differences with America, and that commercial freedom and activity may be restored. It is also extremely desirable that new sources of trade should be discovered, and natural for those who are now suffering under privations and hardships, to catch eagerly at the flattering prospects and promises so confidently held out to them from opening the trade with the East. But can the court of directors, thoroughly convinced as they are, that all such expectations are groundless and delusive,—that those who should act upon them, if the trade were opened, would be sure to experience ruinous loss and disappointment, and that the abolition of the Company's commercial privileges would be in effect the extinction of the whole of the present

Indian system; can the court, with these convictions, lend themselves to promote a dangerous deception, already too prevalent, at the sacrifice of so much individual interest, and of that public interest, the care of which is entrusted to them? If it were, indeed, probable, that by a slow process the commercial intercourse between this country and the East could be enlarged, the effect would be far too distant to relieve present pressures, and the first adventurers be more likely to plunge the trading world into fresh difficulties; as proved to be the result of the general rush into the trade of Buenos Ayres, where it was easy to send exports, but difficult to find sale or return. It will, perhaps, now be said, that the trade with Buenos Ayres has become a regular one; but it can be a regular one only to a very limited extent, being, indeed, partly what subsisted with Lisbon, before it was turned into a different channel: it may not, in a long time, replace the vast sums at first lost there; and, at any rate, it displaced no important system existing before. From the late very favourable change in the affairs of Europe, a better prospect of relief now appears; from the East, it will be found, that no hope of any can be rationally entertained.

Eighthly, That a free trade to the East would be a substitute and cure for all present commercial evils; would open an unbounded field to British manufactures, British capital, skill, enterprise and knowledge; which would not only supply the wants of the vast population of the East, but create wants where they did not exist.

The practicability of extending, in any great degree, the commerce of this country with the natives of the East, in exports and imports, is undoubtedly a vital question on the whole of the discussion respecting the renewal of the charter; for if no such extension be indeed practicable, to what end should the present system, with all the establishments which have grown out of it, be destroyed? The British merchants appear to entertain the most extravagant ideas of a new world for commercial enterprise; ideas upon which they are ready to risk their own property, and to sacrifice all the interests of the existing Indian system. The Company, backed by the great mass of British subjects now in Europe, who are acquainted with the countries of the East, maintain, in direct opposition to all such imaginations, that it is not now possible greatly to extend among the inhabitants of the East, the consumption of British productions, or in this country, the sale of Asiatic commodities. On the side of the merchants, there is in truth nothing but a sanguine theory; on the side of the Company, there is the experience of all the nations of Europe for three centuries; there is the testimony of ancient history; there are the climate, the nature, the usages, tastes, prejudices, religious and political institutions of the eastern people. If the discovery of the passage by the Cape of Good Hope and the account of the first Europeans sent by that route to the shores of India, were only just announced to us, some explanation might be given of the enthusiasm with which the hope of unbounded commerce thither is entertained; but that, after all the knowledge which successive ages have afforded upon this subject, men of general intelligence and cultivation should, in opposition to the usual course of human affairs, adopt the fond idea of entering at once into the enjoyment of a new world of commerce, is a most striking instance of credulity, and of the power which interest and imagination united, have to impose upon the understanding. The theory of Dr. Adam Smith did not anticipate any such sudden burst of new commerce, when he pronounced that the "East Indies offered a market for the manufactures of Europe, greater and more extensive than both Europe and America put together." Eminent as Dr. Smith certainly was, in the science of political economy, he was not infallible; his information respecting India was very defective and erroneous; his prejudices against the East India Company extreme, and his prognostics concerning their Indian government wholly mistaken. In the period which has elapsed, of nearly 40 years, since he first published his work on the Wealth of Nations, the endeavours of all Europe and America have made no dicovery of that immense market for European manufactures which, he said, was offered by the East Indies; yet the same doctrine seems to be still in the minds of some of the petitioners, who made it a serious charge against the Company, that its exports to the immense regions of the East, do not amount to a fifth of the exports of this country to North America. But as well it might be a matter of charge against the merchants of England, that their exports to the continent of Africa, which contains so many millions of inhabitants,

less influenced by religious prejudices, and more inclined by taste and manners, than the people of the East, to use our productions, do not equal their exports to our remaining American colonies. The reason is obvious in both cases: all the North American colonies are the same people as ourselves; live under a climate nearly similar, and have a variety of commodities valuable to us, to exchange: the Africans live under a tropical sun, are poor, and have little means of purchasing even such of our manufactures as they would like to use. It has been already noticed that the Americans have been in the habit of carrying our commodities into other countries.

A profound observer of human affairs, the president Montesquieu, had, before the time of Dr. Smith, who, however, overlooks his opinion, reasoned more agreeably to nature and experience on this subject. "Although," says he, "commerce be liable to great revolutions, it may happen that certain physical causes, such as the quality of soil and climate, shall for ever fix its character. In the commerce which we carry on with India, in modern times, the export of money thither is indispensible. The Romans carried to India every year about fifty millions of sesterces. That money, as ours now is, was exchanged for goods, which they brought back to the West. Every nation which has traded to India has uniformly carried the precious metals thither, and brought back goods in return. Nature herself produces this effect. The Indians have their arts, which are adapted to their manner of life. Our wants are essentially different from theirs; and what is luxury to us never can be so to them. Their climate neither requires nor permits the use of almost any of our commodities. Accustomed to go almost naked, the country furnishes them with the scanty raiments they wear; and their religion, to which they are in absolute subjection, instils into them an aversion to that sort of food which we consume; they, therefore, need nothing from us but our metals, which are the signs of value, and for which they give in return, the merchandize that their frugality, and the nature of the country, supply in abundance. Ancient authors, who have written upon India, represent the country precisely such as we now find it, as to police, to manners, and to morals. India always has been, and India always will be, what it now is; and those who trade to India, will carry money thither, and bring none back."

As the court have, in their letter of the 13th January, 1809, to the president of the India board, given the same views and in some detail, on this subject, not deriving their opinion from any single authority, but from the broad page of history and practice, it is unnecessary for your Committee again to enlarge upon it: but may not the attention of the manufacturers of woollens, metals, cotton fabrics, and potteries, be still called to the habits of the Indian people, the bulk of whom live all their days upon rice, and go only half covered with a slight cotton cloth; the rice and cotton both produced by their own soil? The earnings of the common labouring classes, and consequently their expences, may be estimated, on an average, not to exceed 4*l.* 10*s.* per man, per annum.* They are indolent by nature, frugal by habit, under manifold religious restrictions: what demand of the manufactures from Europe is to be expected from these? Of the better classes few are rich, unless those connected with Europeans: and even these, during a course of nearly three centuries, in which they have lived in European settlements, have adopted none of our tastes or fashions; unless, perhaps, in a few articles of jewellery and hardware, looking-glasses, and carriages, with the use of a mantle of broad cloth in the cold season. As to the north of India, though the climate there be less dissimilar to ours, the people are extremely so: and in poor ill-governed countries, where property is insecure and concealed, what hope can there be of a vent for foreign luxuries? The persons who now imagine that region to present a great field for commerce, have no conception of the difficulty of carrying goods there from the sea; the delays, expence, and insecurity that must be experienced, when the boundaries of the Company's government are passed, and in finding and

* In a late statistical account of Dinagepore, a province of Bengal, there are statements of the annual expences of different classes of society; and among them, one of the expences of a labouring man with a wife and two children. The amount is only rupees 22, 10, 11, or near 3*l.* per annum; being at the rate of 15*s.* per head. The article of clothing, for this family of four persons, is only 6*s.* per annum.

bringing back returns, if the European commodities could be disposed of. With respect to China, it is not denied that it might, in all probability, take off many of our manufactures, if the Chinese government would allow the free dissemination of them. The jealous restrictions of that government, however, which, though they have been already stated, it may be proper to notice again here, prevent their own subjects, in general, from any dealings with Europeans; and it has been seen, that the magnificent style of lord Macartney's embassy, which bespoke the grandeur of the British sovereign, with the refined diplomatic talents of that nobleman, which even struck the Chinese courtiers, were incapable of moving the government to depart in the smallest degree from its established policy. If instead of the regulated, long experienced organ for European trade, the Company's Canton establishment, under whose respectability, in fact, the Americans were admitted, a swarm of unconnected private traders were to be let loose upon that country, it is altogether probable, that the Chinese would either shut their doors entirely upon them, or contract even the present narrow entrance.

If so many proofs of want of knowledge on Indian subjects did not crowd on your Committee, they might express surprise at finding any persons still so uninformed, as to hold up the trade carried on by individuals in the time of Cromwell, as gainful to the parties, and useful to the nation. The fact is now ascertained to have been notoriously otherwise. The competition of the traders led them to undersell their exports in India and their imports in England: the public, indeed, for a little time, got Indian goods remarkably cheap, but the adventurer could not go on; and Cromwell, induced by the representations made to him, in which several of those very adventurers joined, restored the Company, in order to save the Indian trade to the nation.

Parliament is now told by the petitioners, that the private trade, to which individuals were admitted by the Act of 1793, enlarged by the arrangement of 1802, has succeeded, and produced a profit, even whilst the Company have been trading to a loss. The court have very substantial reasons to believe, that although some articles of private trade may at certain times have sold to a profit, yet that large importations of other articles, both in India and into England, have repeatedly sold to a loss, or have remained long on hand, for want of sale.

The nature of this trade should be considered; the numerous commanders and officers of the Company's ships (a very superior class of nautical men) have no adequate provision from direct pecuniary allowances; their compensation has been in the privilege of trade, and a certain allowance of tonnage, freight free. This has generally made them traders; and as they are to look to trade for their emolument, (for but few, comparatively, make money by passengers,) they continued to adventure, though often with little success; and your Committee are assured, that though they pay no freight nor commission, being their own agents, they still find it, on the whole, a precarious, unproductive business. Now, if these men do not succeed, it can hardly be expected that those who have freight and commission to pay can fare better.

But it will be said that other individuals do, nevertheless, embark in this trade. To this it is to be answered, that the manufacturers of indigo, in Bengal, (an article originally promoted and always fostered by the Company,) generally send their produce to England; and this is a matter of necessity; because the great bulk of the article cannot otherwise be disposed of. Again, there is a certain annual amount of acquisition by Europeans in India; and as this, (doubtless, a large amount in all) is in one way or another to be remitted to England, merchants in India may find their account tolerably well in taking up such money in India; investing it in goods, and granting bills, at a rate favourable to the drawer, payable from the sales in this country. A sort of new transit capital arises in this way every year, and men may be tempted, occasionally, to seek to make an advantage of it, who would not regularly fix a capital of their own in the trade. There is also a third sort of trade from India, which men of large capital speculate in when favourable occasions seem to offer: and in this way sometimes cotton piece goods, sometimes cotton wool, sometimes indigo and raw silk have been adventured in. But your Committee suppose it to be an undisputed fact, that these larger adventures have repeatedly been attended with heavy losses to individuals, particularly the very great importation of piece goods, exceeding in value two millions

sterling, in 1802; the large importations of cotton, and even of indigo, since that time; and what may be sufficiently decisive on this head is, that very large quantities of those have remained long in the Company's warehouses without a sale, or uncleared after sale.

But it will still be said, the private trade between Europe and India has greatly increased since the enlargement of 1793 was granted.

To explain this it is to be remembered, first, that, as already stated, the commanders and officers of the Company's ships, are in a manner obliged to be traders, and that they have greatly increased in number since 1793: they are forced to carry out goods, and therefore to bring goods back; because in general specie would be a losing remittance. Secondly, that the number of Europeans in India has been very greatly increased in India since 1793. Every class has increased: the civil, military, and medical servants of the Company; the King's troops, from a few regiments to 20 thousand men; the naval servants of the crown; ladies, lawyers, free merchants, free mariners, and the mixed race of European descent, now become a great multitude, who imitate, as far as they can, the fashions of their fathers. For all these descriptions of persons, every thing required for use or luxury is sent from this country: thus the exports are necessarily enhanced; and exports being made, returns for them, in the commodities of the country, become necessary, whether they are sure to answer or not.—The increase is by no means to be conceived as merely the result of the enlargement given by the Act of 1793, or afterwards. It is (let it be again observed) most materially to be ascribed to the increase in the number of the Company's commanders and officers, to the necessity of making returns in goods from India for their exports, to the great increase of Europeans and their descendants, in India, to the vast increase in the culture of indigo, cherished by the Company, and permitted to come in their ships before the Act of 1793; and what the enlargements of that Act, and subsequent measures have opened the way for, has been occasional large speculation in cotton, piece goods, raw cotton and indigo; which speculations have more often failed than succeeded. But the great conclusion to be derived from the account of the trade since 1793, is this; in all the period of nearly 20 years from that time to the present, in which, undoubtedly, facilities and enlargements never enjoyed before, have been given for private enterprize and adventure, in which the private trade has considerably increased, and on the whole a very ample experiment has been made, not one new article for the consumption of the natives of India has been exported; and little perceivable difference in the few articles of metals and woollens, of which they participated before. This is a very remarkable fact, and ought to make a deep impression on all persons who in any way interest themselves in this subject. Let us not hear of that unfair charge so often repeated, that the Company's restrictions have prevented persons from availing themselves of the privilege held out by public regulations. Would the commanders and officers not restrained by high freight, or any uncertainty of getting tonnage, not have carried out articles for the use of the natives, if they had found that any such were saleable? Would not European residents in India, keen merchants, and acquainted with the dispositions and tastes of the natives, have commissioned for such articles, if they had seen any vent for them? Would not native merchants, who buy and sell European commodities, have recommended the importation of things for the natives, if they had seen any chance of a sale? Yet of 54,000 tons allotted for the private trade since 1793, only 21,806 tons have been actually used by private merchants, and these filled wholly with commodities for the use of Europeans. On the whole then, this may be pronounced a decisive experiment, a decisive proof that there is no opening, nor any material opening to be expected, for the sale of European articles for the use of the natives of India.

Of the import trade from India on private account, since 1793, after what has already been said, it may be sufficient to present the following

SHORT ABSTRACT.

Total Privilege			£. 24,585,673
Private trade			8,543,027
Which contained			£. 33,128,700
Indigo	£. 11,504,716		
	4,290,591		
		15,795,307	
Cotton	2,916,860		
	209,258		
		3,126,118	
			18,921,425
All other articles			14,207,275

It may be proper to point out to attention the great proportion which the articles of indigo and cotton bear to the whole of these imports; and, likewise, to refer to the great quantities of these two articles, which, it has already appeared, remain still in the Company's warehouses, either unsold or uncleared. Of the practicability of enlarging the imports into this country, of Indian production, fit for the European market, it was formerly stated by the court, that the diligence, not only of the different East India Companies of Europe, but of individual Europeans trading through the whole extent of the Indian seas, has been excited during three centuries, to discover articles which might be profitably exported to Europe; and after all the experience thus acquired, particularly in the present day, when the coasting and internal trade of India has been greatly enlarged, it is not reasonable to be assumed, upon merely theoretical ideas, that there is any source of materials raw or manufactured, in India, yet undiscovered, by which the imports from India into this country can be profitably augmented; and with respect to those articles which may now be considered as the staples of India; namely, cotton piece goods, raw silk, indigo, raw cotton, and sugar; the demand for the first is reduced and limited, by the vast growth and excellence of the cotton manufactures of Britain and Europe; the second, to whatever extent demanded, can be brought home in the ships of the Company; the third, already imported to an extent that nearly supplies the consumption of Europe, may also easily be carried home in the same channel; and the article of raw cotton, brought from a great distance, at an unavoidably high freight, which renders it incapable, when this country is engaged in war, and North America and Portugal at peace with us, of entering into competition with the cottons of Georgia and Brazil, both superior in quality, and brought to this market more expeditiously, to meet the fluctuations of price and demand, and at a far cheaper rate of freight. As to sugar, if it could be imported to this market, so as to rival the produce of our West India colonies, which it cannot be in time of war, surely this is not a trade which could be, on the whole, profitable to the nation; and no other great article of Indian produce has ever been thought of, except hemp, of which the culture is still in an early stage in India, not capable of standing a competition with Russia, whenever our intercourse with that country is open. It is in this state of things, when the Company cannot find vent for more exports in the East; when their warehouses are filled with goods from the East, for which there is no demand; and when they suffer from the continental restrictions in common with all his Majesty's subjects, that the petitioners, whose chief complaint is of general stagnation of trade, censure the Company for not enlarging theirs.

9thly. The demand of a full and entire freedom of trade to the eastward of the Cape of Good Hope, including China and all the countries within the charter of the East India Company.

Such are the views of the petitioners, professedly no less than a complete subversion of the fabric of the East India Company, and all the great commercial establishments connected with it; involving also the hazard of the political interests of the British empire, Indian and European. Certainly, it must be presumed, the petitioners expect such advantages to follow from all these changes, as shall compensate for the immense sacrifices which they require; but your Committee hope it has sufficiently appeared, from the preceding discussion, that all such expectations are illusory and vain. If, however, they are not indeed the offspring of sanguine theories, but the result of sober rational consideration, might not the same sobriety of thought be expected to pay an equitable regard to the ruin which would be inflicted on existing interests, and to look to some suitable provision against the possible contingency of final disappointment. Yet these important objects seem to have received no adequate attention. Against the alleged danger of excessive speculation, (a danger which is, in fact, a public concern), it is argued "that the enterprise of individuals is uniformly limited by their means and success." But if they involve all their friends, and sink in their attempts, and this should be the case of many, would not the result be a general calamity? The argument of the petitioners assumes, that the new trade will be finally successful; but the foregoing review deprives them of all right to go upon this supposition.

For the deep injuries which all the London establishments connected with the eastern trade would receive, there is absolutely no relief or reparation of any kind

adverted to. And for the Company, they are told first of their wealth, knowledge, and experience (all of which have been before disparaged), as enabling them to oppose, unassisted, private efforts; that if they can carry on trade to greater advantage than individuals they have nothing to fear, and that they will reap their reward in competition. All this is particularly applied to the China trade, which is not a new trade, nor, as has been shewn, either susceptible of increase, or likely to be preserved at all as a general trade. The transfer of it to other hands would add nothing to the nation, whilst the entire benefit of it is necessary for the support of the political interests of the Company. Secondly; it is proposed, that for indemnifying and remunerating the claims of the Company, they "shall have a fair and equal impost on the trade in question." If the trade and rate of impost were both likely to be considerable, which your Committee see no reason to suppose, the idea of an indemnification for the whole by giving afterwards a part (and probably a small part), can hardly be treated as a serious idea.

But for the detriment which the Company in their political capacity might sustain, for all the ill consequences that might ensue to the government and immense population of India, no provision whatever is proposed. And against an entire failure of the vast prospects now so sanguinely entertained, this consolation is at last administered, that "the very worst that can occur, in the event of" the abandonment of the trade by the public, would be, that matters might "return again to their present state."

But can it be seriously supposed, that after the fabric of the Company and its immense dependent and connected establishments in England, in India and China, should have been set aside and left to decay and ruin; when India should have been laid open, and the China establishment superseded, and so much capital sunk, that things could be brought back to their former state? The possibility of such a mighty convulsion, and the ease with which it is contemplated by the petitioners, may be sufficient to excite a salutary fear of the rage of theory, speculation and innovation, may suggest the prudence of stopping short of the precipice to which they would conduct us; of at least resting at some point, so far safe, as not to expose the whole of the empire, Indian and European, to the terrible alternative here brought into view. A great extension of the trade to or from the East, the object for which such dangers are to be run, is shewn in the preceding pages to be impracticable; and it has been also shewn, that in the prosecution of the attempt to obtain it, the interests of British India, and of the finances of this country, would be endangered. But if an experiment is still required to be made, in the vast continent of Hindostan, and its adjacent islands, (for to push the experiment into China, would be to risk the trade of that country and all its advantages, without the chance of any benefit), the means of making a large ample experiment, in which the whole nation may participate, through the port of London, are now offered; means which shall give the fairest opportunity to ascertain the practicability of extending the trade, without breaking down present establishments, or exposing the empire, in case of failure, to the most disastrous consequences. At the same point, therefore, here described, your Committee humbly hope the wisdom of his Majesty's ministers and parliament, will still see fit to rest.

(Signed) Hugh Inglis.
Robt: Thornton.
Jacob Bosanquet.
Wm. F. Elphinstone.
Theophilus Metcalfe.
Joseph Cotton.
Charles Grant.
George Smith.
Edward Parry.
Sweney Toone.
William Astell.

REPORT FROM THE SELECT COMMITTEE APPOINTED TO ENQUIRE INTO THE CORN TRADE OF THE UNITED KINGDOM.—*Ordered, by the House of Commons, to be printed, May* 11, 1813.

The SELECT COMMITTEE appointed to enquire into the Corn Trade of the United Kingdom, and to report their Observations together with their Opinion thereupon to the House; and who were empowered to report the Minutes of the Evidence taken before them;—have examined the matters to them referred, and have agreed upon the following REPORT:

The returns of the exports and imports, and average prices of corn, for the last 21 years, which were presented to the House on the 17th of March last, first attracted the attention of your Committee.

From these it appears that the value of foreign corn imported into Great Britain during that period, according to the average market prices, amounted to 58,634,135*l.*;* that the average price of the quarter of wheat for the same period has been 77*s.* 3*d.* and that the average price of it for the last four years has been 105*s.* 5*d.*

Your Committee are of opinion, that so great a degree of dependance on foreign countries for a sufficient supply of food, and so great an advance in the price of wheat as is hereby proved, require the interposition of parliament without further delay, in order that some remedy may be applied to evils of such great prejudice to the public welfare.

Under this impression, and with a view of ascertaining what measures it would become your Committee to propose, as best calculated to induce our own people to raise a sufficient supply for themselves from their own soil, and at the same time to reduce the prices of corn, they have examined into the means which the United Kingdom possesses of growing more corn, and into those laws which from time to time have been made for regulating the corn trade.

In order to ascertain the means of growing more corn, certain queries were communicated to the Board of Agriculture, and to the Farming Society of Ireland, which, together with the answers that have been returned to them, are given in the Appendix. Your Committee also judged it expedient to examine more particularly into the circumstances of Ireland, in consequence of the new and peculiar character which that part of the United Kingdom has of late filled as a tillage country.

The result of their enquiries is as follows:

In regard to Great Britain, that there has been a great increase of tillage during the last ten years; that the land now in tillage is capable of being made much more productive by the extension of the improved system of cultivation, and that much land now in grass is fit to be converted into tillage.

The answers of the Farming Society of Ireland to the queries of the Committee, show that there has been a very considerable increase of tillage in that country in the course of the last ten years; estimated by many skilful persons at nearly one fourth. That the land already in tillage is capable of being rendered much more productive; that the same land in some parts, upon which formerly seven barrels of wheat the acre was considered a good return, now yields by better management (without the loss of two seasons rent and labour under the system of open fallow) at least ten barrels the acre; and that there are very considerable tracts of land now in grass fit to be converted into tillage; almost all the meadows and pastures which are dry and free from rock being capable of producing a crop of lea-oats with one ploughing, and of being made productive afterwards by rotation crops in the usual way.

The evidence of several persons well acquainted with Ireland concurs in proving that the tillage of Ireland has of late years increased very much, and is capable of being still further increased. Of the actual practicable increase it is impossible to form any correct opinion; but when all the various circumstances are taken into consideration which exist in Ireland favourable to such an increase, the production of a much greater quantity of corn may be expected than would be sufficient

* 2,826,947*l.* was paid for bounties on corn imported from 1796 to 1803.

to provide for the average deficiency (calculated upon the importation for the last ten years,) of the produce of this country to supply its own wants.

The fertility of the soil; the fitness of the climate; the abundance of limestone and limestone-gravel; the cheapness of labour; and the general convenience of water carriage; together with the progress made in the course of a few years in extending and improving the cultivation of the land, form the most complete proof of the ability of Ireland to become eminently serviceable to this country, by affording to its great manufacturing population abundance of all kinds of food at moderate prices. For the great supply of Irish corn will not only lower its price, but contribute to the conversion of much land in England now under corn, into cultivation for food, for sheep and cattle, and thus allow of milk and butchers meat being sold at much lower prices than they can be sold for, while the quantity of land applicable to this sort of produce is limited, as it now is, by the scanty supply, and consequently high price, of corn.

The following comparison of the prices of corn in Ireland, coupled with the value of corn exported from thence in the last year, amounting to 2,938,180*l.* afford a striking practical illustration of the foregoing reasoning:

The highest price of Wheat per barrel of 20 stone was (April 1812,) 83*s.*
(April 1813,) 60*s.*
Of Barley, per barrel of 16 stone,
(April 1812,) 44*s.*
(April 1813,) 29*s.*
Of Oats, per barrel of 14 stone,
(April 1812,) 34*s.*
(April 1813,) 23*s.*

It is worthy of observation, how much larger the proportion of corn imported into Great Britain from Ireland is to the whole of the corn imported into Great Britain in the last five years, than it was in the preceding sixteen years.

In the last five years the value of the whole imported was 18,934,359*l.*; of this was Irish corn 6,507,884*l.* being something more than one third of the whole.

In the preceding 16 years the value of the whole imported was 54,586.787*l.*; of this was Irish corn 8,379,027*l.* being 616,075*l.* more than one seventh of the whole.

Upon the whole, it appears to your Committee to be a fair practical inference to draw from this enquiry into the means which these countries possess of growing an additional quantity of corn, that they are able to produce as much more corn, in addition to that which they already grow, as would relieve them from the necessity of continuing in any degree dependent for a supply on foreign countries.

Your Committee having thus disposed of the first head of the enquiry, which they have conceived it to be their duty to enter upon, now proceed to take a general review of the other part of it; viz. the laws for regulating the corn trade.

The Act 15 Car. 2, cap. 7, (anno 1663) gave freedom to the inland corn trade, and perhaps contributed more both to the plentiful supply of the home market, and to the increase of tillage, than any other law on the statute book.

By the Act 22 Car. 2, cap. 13, (anno 1670) the importation of wheat, whenever the price in the home market did not exceed 53*s.* 4*d.* the quarter, was subjected to a duty of 16*s.* the quarter, and to a duty of 8*s.* whenever the price did not exceed 4*l.*; and to the duty of 5*s.* 4*d.* the quarter, whenever the price exceeded 4*l.*

The average price of wheat for 20 years preceding 1666, was 2*l* 17*s.* 5½*d.*; for 20 years subsequent, 2*l* 6*s.* 3*d.*

By the Act 12 Car. 2, c. 4, the exportation of corn was permitted whenever the price of wheat did not exceed 40*s.* the quarter, and that of the grain in proportion. By the 15th of the same king, this liberty was extended till the price of wheat exceeded 48*s.* the quarter, and by the 22d to all higher prices; a poundage indeed was to be paid to the king upon such exportation. But all grain was rated so low in the book of rates that this poundage amounted only upon wheat to a shilling, upon oats to 4*d.* and upon all other grain to 6*d.* the quarter. By the Act of the 1st of William and Mary this small duty was virtually taken off whenever the price of wheat did not exceed 48*s.* the quarter, and by the 11th and 12th of William 3, c. 20, it was expressly taken off at all higher prices.

The 1st Will. st. 1, c. 12, gave a bounty of 5*s.* the quarter on every quarter of wheat exported, so long as the price was at or below 48*s.* the quarter.

These several laws together formed a system for regulating the corn trade upon the principles of restraining importation

and encouraging exportation; and under this system the corn trade continued till 1765.

How far it was successful the following Table will prove.

A Table showing the average Prices of Middling Wheat per statute Quarter; the average Excess of the Exports of every sort of Corn, Flour, and Meal; the average Imports of the same, from 1697 inclusive, to 1764 inclusive.

Periods.	Price of Wheat per Statute Quarter.		Excess of Exports.	Excess of Imports.
	s.	*d.*	Qrs.	
5 years ending 1701	42	8	139,866	
6 ditto 1707	25	11	289,304	
4 ditto 1711	49	9	299,367	
4 ditto 1715	37	8	453,986	
4 ditto 1719	33	1	485,852	
5 ditto 1724	28	10	532,732	
5 ditto 1729	37	7	216,643	
5 ditto 1734	25	9	468,844	
5 ditto 1739	30	10	597,462	
5 ditto 1744	28	7	446,378	
5 ditto 1749	27	9	932,593	
5 ditto 1754	30	5	1,080,077	
5 ditto 1759	36	2	273,805	
5 ditto 1764	30	7	696,117	
	465	7		
Average of 68 years	33	3		

In 1765, and each of the seven following years, laws were made prohibiting the exportation of corn, and allowing the importation of corn duty free; and in 1773, the Act 13 Geo. 3, c. 43 was passed, which established a new system with regard to the corn laws.*

By this statute the high duties imposed by 22 Car. 2, c. 13, were taken off so soon as the price of middling wheat rose to 48*s.* the quarter, and the bounty of 5*s.* upon the exportation of wheat ceased so soon as the price rose to 44*s.* the quarter, instead of 48*s.* the price at which it ceased by the Act 1 William and Mary, st. 1, c. 12.

The continuation of the foregoing Table will show how far the new system, which commenced with the annual Act of 1765, and of the following years, has been as successful as the old system in securing a sufficient supply of corn at moderate prices.

* Upon the subject of the Corn Laws, and particularly as referred to in this Report, see the New Parliamentary History, at the periods above alluded to.

Periods.	Price of Wheat per Statute Quarter.		Excess of Exports.	Excess of Imports.
	s.	*d.*	Qrs.	Qrs.
5 years, ending 1769	43	2	......	223,184
Ditto 1774	47	9½	......	276,206
Ditto 1779	40	9	......	290,595
Ditto 1784	45	9½	......	185,906
Ditto 1789	43	3	......	198,716
Ditto 1794	47	2	......	1,145,584
	267	11		
Average price per Qr.	44	7		

In 1791, a new general corn law was made, the 31 Geo. 3, c. 30.

By this statute the high duty on importation was to be paid while the price of middling wheat was under 50*s.*; when it was at 50*s.* but under 54*s.* there was payable on importation, 2*s.* 6*d.* the quarter; and when at or above 54*s.* sixpence the quarter.

By this statute the bounty of 5*s.* was given on exportation when the price of wheat was under 44*s.*; and exportation was prohibited when it was at or above 46*s.*

It appears from the corn returns laid before the House this session, that 12,553,587 quarters of foreign corn, and 2,093,461 cwts. of foreign meal and flour, (exclusive of Irish corn and flour,) amounting in value to 37,613,435*l.* were imported from 1792, to 1803, both inclusive; and that the average price of the quarter of wheat for this period was 68*s.* 5*d.*

In 1804 a new law was passed, which is still in force, and by which the high duty on importation is to be paid till the price of wheat is 63*s.* the quarter; when at that price, but under 66*s.* there is payable a duty of 2*s.* 6*d.* the quarter; when at or above 66*s.* a duty of 6*d.* the quarter.

By this statute the bounty of 5*s.* is paid on exportation, if the price of wheat is at or under 48*s.* the quarter; and exportation is prohibited when it is at or above 54*s.*

It appears from the same returns, that in the 9 years, from 1804 to 1812, both inclusive, there has been imported 5,883,844 quarters of foreign corn, 1,905,061 cwts. of foreign flour, (exclusive of Irish corn and flour,) amounting in value to 21,021,700*l.*; and that the average price of the quarter of wheat during that period is 88*s.* 11*d.*

This Review of the Corn Laws shews,

that so long as the system of restraining importation, and encouraging exportation, was persevered in, Great Britain not only supplied herself, but exported a considerable quantity of corn; and also that the prices were steady and moderate.

That since that system was abandoned, and during the whole period of the continuance of the system that was substituted in its place, of encouraging importation and restraining exportation, that is, from 1765 to the present time, Great Britain has not only not supplied herself, but has imported vast quantities from foreign countries; and also that the price has been progressively advancing from an average of 33*s.* 3*d.* the quarter of wheat for 68 years, under the old system, to an average of 88*s.* 11*d.* for the last 9 years, under the new one.

The various evils which belong to so great an importation from foreign countries, to so great an expenditure of our money, in promoting the improvement and cultivation of those countries, at the loss of a similar extent of improvement and cultivation of our own, and to the established high prices of corn, are so numerous, and so mischievous, that every one will readily allow they are deserving of the serious attention of parliament. In respect to the proper remedy to be applied, considerable light is thrown upon the subject by the strong coincidence of plenty and low prices with a system of restricted importation, and of scanty supply and high prices with the contrary system. This forcibly points out the expediency of recurring to the principles of those laws which were so beneficial in practice from the time of their commencement in 1670, till their abandonment in 1765.

The correctness of this view of the corn trade is further borne out by what has lately occurred in regard to it, in consequence of the continental system of the French government. For many years previous to the establishing of this system, the trade in grain between this country and the continent was virtually a free trade. The laws for regulating and restraining it being wholly inoperative in consequence of the high prices. But none of those advantages were the result, which those who advocate the principle of a free trade assume to belong to it; for the imports of grain, as well as the prices of it, went on gradually increasing. When the continental system put an end to all commercial intercourse with those countries from which corn is usually imported into Great Britain, except through the means of licenses, and thus imposed great difficulties upon the importation of foreign corn; though the prices continued to advance, the quantity of corn grown in consequence of this advance in price, and of the steadiness of the price, particularly in Ireland, has been so much greater than it was before, for many years, that the supply in the last two years was equal to the consumption, for the first time since 1789. For the value of corn exported from the United Kingdom in 1812 to foreign countries amounts to 1,498,229*l.* while the value of foreign corn imported amounts to 1,213,850*l.*, and in 1811 the value of corn so exported is 1,379,714*l.*, and the value imported is 1,092,801*l.*

This circumstance, which can only be fairly traced to the restricted importation, seems to your Committee to place the question beyond all doubt of which of the two systems, a free or restricted trade, is the best; and to corroborate most conclusively the general inference already drawn from the review of the corn laws and corn trade from 1670 to the present time.

As it appears to your Committee, that if the regulating price for allowing importation is made a very high one, it is the best possible protection the grower can have, they do not conceive it will be expedient to continue the bounty on the exportation of corn; at the same time they recommend most strongly that the free exportation of it should be allowed to all countries, till the price becomes what may be considered a very high one.

Your Committee cannot comprehend the policy of encouraging the importation of corn into these countries, as attempted by the existing laws, from our North American possessions, while the natural market for it is clearly in our West India islands.

Upon the same principles which have influenced your Committee throughout this Report, they think it right to advise the prohibition of the importation of foreign flour and meal. Such a measure would be highly beneficial to our own millers, who are deserving of every protection, as being that class of persons engaged in the corn trade, whose capital and intelligence are of the greatest service in all scarce years, in so regulating the consumption, that it shall approach to the

true proportion to the supply. Besides, such a prohibition having been the law in Ireland for some years, and great benefit having been derived from it, as the same policy should prevail in both countries, it is certainly more advisable to adopt it here than repeal it there, with a view of an assimilation of the laws of both countries, which in this, as well as in all other cases, in the opinion of your Committee, ought to be the governing principle of legislation for all parts of the United Kingdom.

Your Committee recommend the following Resolutions to the House, which they have framed according to the form of the Resolutions adopted by the Committee of the whole House in 1804. If adopted, they will give effect, in the opinion of your Committee, to those principles which long and comparative experience has fully proved to be the best calculated to render us independent of foreign countries, and preserve the prices of corn at the same time both steady and moderate.

1. " Resolved,

" That it is expedient, that so much of an Act of the 44th year of the reign of his present Majesty, as regulates the prices at which corn, grain, malt, meal, and flour, may be exported from the United Kingdom, and foreign corn, grain, meal, and flour, may be imported into the United Kingdom, and also the duties and bounties payable thereon, be repealed.

2. " That it is expedient that Ireland should be divided into four maritime districts, and four inland districts; and that the prices of corn and grain within them, should be taken and returned to the receiver of corn returns, in like manner as in England.

3. " That it is expedient, that the importation and exportation of corn, grain, meal, and flour, should be regulated by the aggregate average price of corn and grain in the whole of the twelve maritime districts of England and Wales, the four maritime districts of Scotland, and the four maritime districts of Ireland.

4. " That

	s.	d.
Wheat, if above .... per Quarter	90	2
Rye	56	3
Pease and Beans..................................	57	7
Barley, Beer or Bigg, or Malt, made from Barley, Beer or Bigg	46	5
Oats..	31	0

No export allowable.

But that the above prices shall be the prices for regulating the exportation of corn, grain, meal, malt, and flour, no longer than 1st February, 1814: and that, in lieu of them, other prices shall be fixed by the receiver of corn returns, on the 1st day of January, 1814, and on each subsequent 1st day of January, and published in the following London Gazette: which prices shall be calculated in the manner following, viz. To the average price of the 20 preceding years of each sort of corn and grain, one-seventh part shall be added; and the sum shall be the price at or above which the exportation of corn, grain, malt, and flour, shall not be allowable.

5. " That the respective duties hereinafter mentioned be charged on all corn and grain imported into the United Kingdom: viz.

WHEAT.

	s.	d.	s.	d.
If under ...... per quarter	105	2	—	—
High duty	—	—	24	3
If at or above, per quarter.........	105	2	—	—
But under ...... ditto	135	2	—	—
First low duty	—	—	2	6
If at or above, per quarter	135	2	—	—
Second low duty	—	—	0	6

RYE, PEASE, AND BEANS.

	s.	d.	s.	d.
If under ...... per quarter	65	2	—	—
High duty	—	—	22	0
If at or above, per quarter.........	65	2	—	—
But under ...... ditto	83	11	—	—
First low duty	—	—	1	6
If at or above, per quarter.........	83	11	—	—
Second low duty..............	—	—	0	3

BARLEY, BEER, AND BIGG.

	s.	d.	s.	d.
If under ...... per quarter	54	2	—	—
High duty	—	—	22	0
If at or above, per quarter.........	54	2	—	—
But under ...... ditto	69	0	—	—
First low duty	—	—	1	6
If at or above, per quarter.........	69	0	—	—
Second low duty	—	—	0	3

OATS.

	s.	d.	s.	d.
If under ...... per quarter	36	4	—	—
High duty	—	—	22	0
If at or above, per quarter.........	36	4	—	—
But under ...... ditto	46	10	—	—
First low duty	—	—	1	0
If at or above, per quarter........	46	10	—	—
Second low duty	—	—	0	2

But that the above prices shall be the prices for regulating the importation of corn and grain no longer than 1st February, 1814: and that, in lieu thereof, other prices shall be fixed by the receiver of corn returns, on the 1st of January,

1814, and on the 1st of January in each subsequent year, and published in the following London Gazette: which prices shall be calculated in the manner following; viz. To the average price of the preceding 20 years, of each sort of corn and grain, shall be added one-third part thereof, and the sum shall be the price under which importation may take place at the high duty: to the average price of the preceding 20 years, of each sort of corn and grain, five-sevenths parts thereof shall be added, and the sum shall be the price between which, and the price at which importation may take place at the high duty, importation may take place at the first low duty; and this also shall be the price at or above which importation may take place at the second low duty.

6. "That it is expedient that no foreign flour or meal be allowed to be imported into Great Britain."

MINUTES OF EVIDENCE.

Martis, 30° die Maij, 1813.

Sir HENRY PARNELL, baronet, in the Chair.

Mr. *Edward Wakefield*, called in, and examined.

Have you been much in Ireland lately?—I have been backwards and forwards a great deal in Ireland, but not there since Christmas 1809.

Have you been there at different times?—Yes; I was there the whole of the year 1809, and the greater part of the year 1808; of course I can speak of nothing since 1809.

Did you attend to the state of agriculture there?—Particularly there.

Can you state to the Committee whether the export of corn from Ireland has increased of late years?—I have taken out from Mr. Arthur Young's Tour in Ireland, part 2d, page 86 of the quarto edition, the average imports and exports from the year 1757 to the year 1777, the average annual imports were in money 83,270*l*. during those years, and the average annual exports 64,871*l*.; the balance annual loss apparently against Ireland was 18,399*l*.; that according to these returns, up to the year 1777, Ireland was an importing corn country then; from the year 1772 to the year 1811 the exports have increased from 40,774*l*. to 724,090*l*.

Are the sums you have named official value?—Certainly official value.

Is the land now under tillage in Ireland capable of being made more productive by an improved system of husbandry?—The average produce of the tillage-lands in Ireland, under the present system of husbandry, appears to me very small, and capable of great increase in every county and every part of Ireland. For the purpose of ascertaining the question of the quantity of produce, I distributed printed queries in the year 1809 throughout Ireland, and the answers I have printed in various parts of an Account of Ireland which I have lately published; and the result of the whole is reduced into one table, and may be found in volume the first, page 605; those queries were forwarded to intelligent persons whose names are inserted with the answers, and their replies I conceive to be an authority quite unquestionable, and accord with the observations which I was myself enabled to make in a tour through every county, and I believe I may say every barony in the kingdom.

Is there much land in Ireland now in pasture or meadow capable of growing corn without considerable expence being incurred in draining, fencing, &c.?—The quantity is so great that it would be difficult to state a proportion that would be too large.

Can you state any thing like the proportion it bears to the lands at present in tillage?—I cannot do that.

It bears a very great proportion to the lands in tillage at present?—A very great proportion.

What sort of land is this?—I think there is a vast deal of pasture-land too good to break up.

What description of pasture does your answer refer to?—All that pasture which is not the very best bullock-land or limestone-pasture, the staple of which is not deep enough for tillage.

Would the conversion of such pasture-land into tillage under a good course of crops diminish materially the quantity of stock that is now reared and fed upon such land?—I think not, under a perfect system of husbandry.

What do you mean by a perfect system of husbandry?—The introduction of a course of green crops, turnips and artificial grasses.

Has the improved system of agriculture to which you allude been introduced into Ireland, and is the practice increasing?—At present it appears to me to be very much confined to the farming of gentlemen.

Is there much coarse wet land that might be made good tillage-land by draining and otherwise improving?—A very great deal. I should think that in some counties in the west, one half of their whole extent.

Do you conceive that large tracts of this description of land might be rendered productive of corn at a considerable expence?—I have no doubt of it.

Do those parts of Ireland in which this kind of land principally is found afford natural manures?—Fossil manures, particularly limestone, or limestone-gravel, abound in almost the whole of Ireland.

Can those fossil manures, the lime for instance, be converted into manure at a small expence; is there a quantity of coal or fuel?—It is converted generally with English coal and turf, and within the vicinity of the Kilkenny collieries with the native coal.

What is your opinion of the nature of limestone gravel with regard to its prevalence in different parts of Ireland, and its use in agriculture in Ireland?—The extent of limestone-gravel is very great, and it is probably the best manure that is known; with the exception of one or two counties it is to be found in every county in Ireland; the manner in which it is used is without burning it, as lime is prepared; but it is taken from the spot where it is found, and immediately put upon the land in many places, being the sub-soil.

Is there much lime burnt in Ireland for the purposes of manure?—A vast deal.

Which is preferable, lime or limestone-gravel?—That depends upon local circumstances.

What are the impediments to the convertibility of the before-mentioned coarse lands into a productive state of cultivation?—The principal impediment is the want of a demand; but there are other impediments, which, I conceive, are of a political nature, and it is for the Committee to determine whether I shall explain them or not. I conceive it to be an axiom in political economy that demand is the parent of production; and if ever this principle was more particularly exemplified in one country than in another, it is in the production of corn in Ireland. Nothing is more conspicuous than the want of open and established corn markets throughout the country; I know many counties in which wheat is hardly sown, Monaghan, Tyrone, Derry, Donegal, Sligo, Mayo, Leitrim, Cavan, and in many of them because there are no buyers for the grain if it was produced in some counties. The illicit distilleries form the chief market for the sale of grain, and they are encouraged by land proprietors as the means by which their tenants are enabled to pay their rents. I should observe, that the establishment of corn buyers at Kilrush, in the county of Clare, and Westport in the county of Mayo, of late years have had a conspicuous effect upon the cultivation of a district of country within twenty miles of those ports, which appears to me the best proof a demand will create cultivation.

How do you conceive the establishment of corn buyers, such as you refer to, is to be effected?—By an increased demand, which increased demand would be created by a revisal of the corn laws.

In speaking of a revisal of the corn laws, do you mean in increasing a preference to the farmers of England and Ireland, as compared with the import of foreign corn?—Certainly.

Do you consider the present prices at which foreign corn is excluded from the markets of Great Britain, such as can give a decided preference to the grower of corn in any part of the United Kingdom over the foreign grower?—I conceive that foreign corn is let in to the injury of home farmers.

Do you think the price at which it is now importable sufficient to give an adequate profit to the home grower?—No; I think not.

What advance of that importation price do you consider would be sufficient to secure that adequate preference?—I hardly think that I can answer that question, not having considered it lately, for I have lately been considering of other subjects, but I will consider of it, and inform the Committee at a future opportunity.

Do you think that by securing a full and decided preference to the home agriculture, sufficient supply for the consumers might be obtained in the course of a short time, at fair and reasonable prices?—I have no doubt of it.

Do you conceive that Ireland possesses the means of furnishing those supplies, which we have hitherto derived from foreign countries, and in what period of time, considering the late increase of her agriculture, do you imagine that supplies to such an extent could be furnished?—I should think that Ireland possesses abundant capabilities; and that she will improve in her agriculture according to the demand for her produce.

Do you suppose that those supplies might be furnished by Ireland, independent of any increased growth of Great Britain?—I have not a doubt of it.

Which sort of grain is the climate and soil of Ireland best calculated to produce, barley, oats or wheat, or peas or beans?—I should decidedly say oats, and that it is the least calculated for peas or tares; I think I hardly ever saw tares that ripened in Ireland; there are very good beans grown in the baronies of Bargie and Forth, in the county of Wexford.

Has the growth of wheat increased much in Ireland within a few years past?—It is very much increased, but it is still confined, speaking of wheat districts, to Kilkenny, Carlow, the county of Dublin, Meath and Louth, and parts of Tipperary.

Are other parts of Ireland equally suited for the growth of wheat?—Yes; I think so.

Is the soil and climate of Ireland suited to the growth of barley?—I never saw any fine barley grown in Ireland; and I am informed by the brewers there that no Irish barley will malt within 20 per cent. of the best Hertfordshire barleys.

Do you apprehend that to be owing to the soil, or the climate, or the mode of cultivation?—I am unable to answer as to which of the three, or whether it is a combination of the whole; I learn the fact from Mr. Connellan, in Dublin, who is his own malster for his brewery.

Has the tillage of Ireland increased considerably within these last ten years?—Very considerably.

Has much land, heretofore unproductive, been converted into tillage?—Yes, tillage has increased certainly with the population.

What description of lands is it that have principally been so converted into tillage, were they waste lands, or were they fine pasture-lands?—That depends upon the local circumstances of what the land may have been itself.

Do not you think both descriptions of land have been converted into tillage?—Undoubtedly.

Do you think the quantity of land converted into tillage is greater than that which would have followed the increase of population?—I think it is.

In addition to the fossil manures which you have enumerated, is there great facility of obtaining sea-weed, and in great abundance, round the coast of Ireland?—In great abundance on the western and southern coast, where it is gathered with great pains; and I have observed that barley is grown in those districts within its reach.

That is a species of manure applicable, at a very small expence, to the lands in the vicinity of the coast?—I believe it is; there is much less of it used on the eastern coasts of Ireland than on the western and southern coasts.

Jovis, 1° die Aprilis, 1813.

Sir HENRY PARNELL, baronet, in the Chair.

Mr. *John Killaly,* called in, and examined.

Have you had any opportunities of being acquainted with the state of tillage in Ireland?—I have.

State in what way?—In travelling through the country in the course of my business as a civil engineer.

You have been many years an engineer to the Grand Canal Company?—I have been.

And are now engineer to the directors general of Inland Navigation?—I am.

Are you not concerned in the flour trade?—I am; I have a small mill in Tullamore in King's county in Ireland.

Have you observed any great increase in the tillage of Ireland in the course of late years?—A very considerable increase.

Is there much land now in grass fit to be converted into tillage?—A great deal.

Exclusive of the grass-lands particularly adapted to feeding cattle?—I conceive there is a great deal of grass-land which might be converted into tillage independent of that.

If the present demand for grain for export from Ireland to Great Britain was to increase very considerably, could Ireland raise sufficient to meet it?—I think it could raise a great deal more than it now does.

Could the land now under tillage be rendered much more productive by an improved system of cultivation?—I conceive it could.

About how many barrels of wheat an acre does the best land produce?—I have understood about twelve barrels an acre is a considerable crop.

How much is the lowest?—I believe about eight barrels an acre is considered a good average crop; and I mean to say that twelve barrels an acre is more than a common crop.

Do you think, taking it generally throughout Ireland, the produce of the country is eight barrels an acre?—I con-

ceive not; I should suppose about six is the present average, but I have spoken of a good average crop as eight, and an extraordinary crop as twelve.

You speak of an Irish acre?—Yes, which is, in proportion to an English acre, as 196 to 121; and when I speak of a barrel, I mean 20 stone, at 14lb. to the stone, or 280lb. to the barrel.

What is the general allowance for waste and drying in converting wheat into flour?—From one to two stone per barrel.

Is it customary to dry all wheat in Ireland before it is made into flour?—In some cases (particularly in summer time) it is bought so dry as to be what they call mill-free, but in general it requires drying.

Is there any reason why the Irish produce should not be equal to the English?—I believe there are parts of Ireland equally productive with England, the county of Tipperary particularly.

Do you think the corn would be as good?—I do not think there can be better grain than Ireland produces; I mean part of Ireland.

Of wheat?—Yes, of wheat.

Has there been of late any particular attention paid to procuring good seed of wheat by the farmers?—I know the farmers are very choice in buying of seed.

Are there not great importations from England of seed?—There may be some, but English seed is not generally used in the country where I live.

What do you conceive the cause of the land in Ireland capable of giving grain as you describe not being converted into tillage?—I believe that the price of grain has not been high enough till lately to induce it.

Do you think that a regular demand, and the certainty of a fair price, would be a means of converting almost all these lands into tillage?—A great proportion of them I conceive would be converted into tillage; but that would depend on the price being steady; the price has varied very much of late years in Ireland; a few years ago in the place where I live we could get good wheat at from 30*s.* to a guinea and a half a barrel, that we now pay upwards of 3*l.* for.

Do not you conceive that the increased tillage has risen in proportion to the prices the last two years?—I think it has been a strong inducement for increasing the quantity of tillage.

Do not you know of very good wheat being sold two years ago for 25 or 30*s.* a barrel?—30*s.* a barrel.

Do you conceive that price, under the present rents of land, would repay the farmer?—I understand not by any means.

To what extent has inland navigation been carried in Ireland?—A very considerable extent.

Can you state generally the number of miles?—I believe there are about 155 Irish miles of canal, or still-water navigation, communicating with the metropolis at present, and about 200 Irish miles of river navigation connected with these canals.

Have these canals contributed in your opinion very much to the tillage of Ireland?—I think they have very materially.

Have there been markets for grain established upon the line of these canals?—There have; and those markets which have been formerly upon the banks of the canal have been very much enlarged.

Can you state any particulars respecting the market of Tullamore, at which you reside?—It has wonderfully increased of late years.

If the canals were extended according to the plans now under the consideration of the Committee for Inland Navigation, would not the tillage of Ireland be thereby greatly encouraged, and the regular supply of Irish grain in the English market be placed on a very secure foundation?—I think the extending the inland navigation in Ireland would tend to produce those effects.

Is it probable that a great part of those grass-lands of which you have already spoken could be turned with profit into tillage without the assistance of water-carriage?—I think there would be by no means the same inducement, because it would be attended with great expence to transport the corn to market if they had not the advantage of water-carriage.

Are you aware that large quantities of foreign grain have been imported into Great Britain, in each of the last twenty years?—I am, from a paper put into my hands.

Has this import of foreign grain, in your experience, produced any effect upon the Irish market?—I believe it has a very sensible effect.

Has it been productive in your opinion, of the fluctuations in the prices to which you have before alluded?—I believe it has been a great cause of it; it produces a

very sensible effect upon the farmers when they hear there has been a great importation of foreign grain into England; and I know it to make a difference of four or five shillings upon a barrel of wheat from one market to another, in the country parts of Ireland, and I believe in the metropolis too.

If the price of the best wheat was forty shillings a barrel, and the price of the best oats fourteen shillings a barrel in the London market, could Irish wheat and oats be sent there with any profit to the Irish farmer? I think not.

State generally your reasons?—I, as a miller, should conceive I was making a very good bargain if I could lay in my stock in the town of Tullamore at forty shillings a barrel; and I consume nearly 5,000 barrels in the year.

Do you export your flour to England?—No; I have home consumption for it.

What prices, in your judgment, ought Irish grain to bring in the Dublin market to afford a fair profit to the Irish farmer?—I do not think he would have a fair profit unless he got about two guineas a barrel in the Dublin market for wheat having the advantage of water carriage to Dublin, which would be very little more than 10*s.* in Tullamore.

What price for oats?—I am not so well versed in that, but I should suppose 16 or 18 shillings a barrel.

What price for barley?—That I cannot say.

Have the rents of lands increased very considerably within these few years in Ireland?—Very much indeed.

Have the prices of labour increased very much?—I think not in proportion.

Have the general expences of living increased?—They are much greater than they were; but that does not produce much effect upon the lower orders, as they principally live on potatoes.

Do you know what difference there is in the prices of labour?—The people are so anxious for work that there is but little increase in the price of labour. I can get canal work done nearly as cheap now as I could some years back.

Going ten years back?—It has not materially increased within that time.

Not nearly so much as the price of land?—No; the price of land is in many parts of Ireland nearly doubled.

Do you know what the price of freight and insurance of corn from Dublin to London is?—I do not.

Do you know the freightage and insurance to Liverpool?—*I do not*; but I know that the expence of tolls, freight and commission, on a barrel of wheat, sent from Tullamore by the grand canal to Dublin, a distance of 45 miles, falls little short of five shillings.

What is the toll?—Three-pence a ton per mile on flour, meal, malt, &c; and on the grand canal, two pence per ton for freight.

Is not there limestone very generally throughout all Ireland?—There are very few parts of it known to me which do not abound with it.

Can it be made into lime generally at a moderate expence?—It can, particularly if culm or coals are convenient, if not they make it into lime with turf.

Does not limestone gravel abound in great quantities throughout Ireland?—It is very general throughout Ireland.

What is your opinion of it as a manure?—I am very little of a farmer, but I understand from others it is a most excellent manure.

Can it be raised and put out upon the land at a moderate expence?—I think it can.

Does it not form, generally speaking, the subsoil of large tracts of Ireland?—It does; it is a very short distance, in general, under the surface; and limestone is so abundant that they make the roads very much of it in Ireland.

Have you been in many parts of Ireland where there is a deficiency of markets for corn?—I have, that is to say, where the market is very poor and very little corn in it.

Is it from want of roads or canals, do you conceive?—Canals would be beneficial to those parts.

Is it from want of industry in the people?—The country is extremely barren in the parts I allude to, and there is but little corn grown; but I think those parts would be highly benefited by a canal.

Do you mean land that could not be converted into good land?—Not without a very great expence.

Have not you surveyed lately lines of canal extending northward from the Royal Canal, and southward from the Grand Canal?—I have.

If those canals were completed, would they not contribute to the converting of many hundred thousand acres of grass-land into tillage, provided the prices of corn were such as to give a remunerative

profit to the grower?—I think it would; more particularly if the present prices were to continue.

Do you think a certainty of two guineas a barrel in Dublin would be sufficient to induce the farmers to put more land into tillage?—As it would, even with the advantage of water-carriage, as I mentioned before, be but a very moderate remuneration, it would not induce a great extent of tillage.

At the present rent of land, do you conceive it would be a remuneration?—I think it would leave a very small profit.

What rent would land now bring in the neighbourhood of Tullamore, that ten years ago would have let for forty shillings an acre?—3*l.* at least; as we considered that very good land ten years ago that would let for forty shillings an acre.

What is the average price of land fit for wheat in Ireland, if to be let now?—About fifty shillings I conceive.

Do you think that the price of two guineas a barrel in Dublin market would be a sufficient remuneration to a tenant paying fifty shillings an acre?—I think it would pay him poorly; but I believe it would leave him a small profit; I know that till within these few years, it was sold for that, and for less.

Has the tillage of wheat increased much of late years in Ireland?—I believe very much.

Would the land let for fifty shillings an acre produce five barrels of wheat?—It would produce more.

Six barrels per acre?—Still more than that.

Would it produce from seven to eight?—Yes, if well cultivated; a great deal depends upon the cultivation of it: the mode of cultivation in Tipperary, Kilkenny, &c. is very different from that in the part of the country where I live. I understand there is no such thing as fallow, at least they fallow very little in the county of Tipperary, but constantly lime the ground.

You have examined all that country, have not you?—I have, whilst laying out the canal. In the county of Tipperary, and I believe in the county of Kilkenny, I was told they are in the habit of putting a barrel of lime to a square perch, or a hundred and sixty barrels to the acre, and to renew that every third or fourth year.

Do you know the produce of the acre there?—Very great.

What barrel do you there speak of?—The common barrel of thirty-two gallons and a half.

What description of land has generally been converted into tillage-land, is it that which was formerly unproductive?—No; very good pasture-land is turned into tillage, and land which has been unproductive is put into tillage under the new mode of cultivation.

Have there been any extensive tracts of red bog brought into tillage of late years in Ireland?—There have been some, but I cannot say to what extent.

Is it customary to reclaim cut-out bog, and prepare it for crops of corn, by beginning with crops of rape?—That is very common, I understand, by burning.

They burn the bog in that case?—They do, and it makes a most excellent manure; there is a great deal of rape grown in that way.

Has wheat been sold at forty shillings a barrel at Tullamore?—Not for some years.

Has it sold at that price since the late increase in the price of land?—I think it has.

Lunæ, 5° die Aprilis, 1813.

Sir HENRY PARNELL, bart. in the Chair.

Benjamin Shaw, esq. a Member of the House, examined.

Are you acquainted with the premiums of insurance, freight, and other expences in transporting grain from Ireland to Great Britain?—The freight from Cork, and I suppose from Waterford, Youghall and Dublin, would be from six to seven shillings an English quarter; the insurance will vary, according to the period of the year, from one and a half per cent. to five per cent. Understanding what I was to be examined to, I have obtained from our factors here a *pro forma* account of sales of wheat, of barley, and of oats, which, if you please, I will put in, and I believe that will connect the evidence, and show the whole expence of bringing it here.

[It was delivered in and read, as follows:]

Pro forma ACCOUNT SALES of 1,000 barrels of Wheat, 1,000 barrels of Barley, and 1,000 barrels of Oats, from Ireland, sold in London, from the ship, by Scott, Garnett and Palmer.

Ex ship, Wheat, 614 qrs. at 110*s.* per qr.				£. 3,377	0	0
Freight, &c. as per agreement.						
Metage, &c.	£. 12	5	7			
Commission and delcredere	64	9	5			
				76	15	0
Weight of a Barrel, 280 lbs.						
The bushel estimated at 57 lbs.				£. 3,300	5	0
Ex ship, Barley, 608 qrs. at 50*s.* per qr.				£. 1,520	0	0
Metage, &c.	£. 20	5	4			
Commission and delcredere	38	0	0			
				58	5	4
Weight of a barrel, 224 lbs.						
The bushel estimated at 46 lbs.				£. 1,461	14	8
Ex ship, Oats, 612 qrs. at 42*s.* per qr.				£. 1,285	4	0
Metage, &c.	£. 18	7	3			
Commission and delcredere	28	3	0			
				46	10	3
Weight of a barrel, 196 lbs.						
The bushel estimated at 40 lbs.				£. 1,238	13	9

In case it should be necessary to land the grain, the extra expences will be,

On Wheat, about 1*s.* 8*d.* per qr. and 10*s.* 6*d.* per 100 qrs.
Barley, - - 1*s.* 8*d.* - - and 10*s* 6*d.*
Oats, - - 1*s.* 6*d* - - and 9*s.* 0*d.*
} For granary rent, turning, and insurance from fire, per week.

April 2d, 1813.

Have there been any considerable quantities of Irish grain brought into the market?—There have been considerable quantities of oats lately imported from Ireland.

Can you state of what quality?—A considerable part of them were potato-oats, the quality of which was very well esteemed.

Mr. *Gerard Callaghan*, called in, and examined.

Are you concerned in the corn trade of Ireland?—Yes, I am.

In what house?—I am concerned in the corn trade as a corn merchant, as a miller, and as a distiller, in the house of Daniel Callaghan and Sons.

Where do you carry on your business?—In Cork.

What are the freight, insurance, and other charges, in transporting grain from the principal ports in Ireland to the principal ports in Great Britain?—The expence of conveying corn from Ireland to Great Britain varies according to the season of the year, as insurances may be moderate, or otherwise, and as freights may be cheap or otherwise; but I calculate, in rather a rough way, that the expence of both together may be taken thus;

From the Western Ports of Ireland, as Limerick, Westport, Galway, and Sligo,

To the Clyde, Liverpool, and Bristol:

Wheat	per 20 stone	from 5*s.*	to 7*s.*
Oats	— 14 —	— 3*s.*	4*s.*
Barley	— 16 —	— 4*s.*	5*s.*

To the Ports in the English Channel:

Wheat	per 20 stone	from 6*s.*	to 10*s.*
Oats	— 14 —	— 4*s.* 6*d.*	7*s.*
Barley	— 16 —	— 5*s.*	8*s.*

To London:

Wheat	per 20 stone	from 7s.	to	12s.
Oats	— 14 —	— 5s.	—	8s.
Barley	— 16 —	— 6s.	—	9s.

From the Southern Ports of Ireland, as Cork, Youghall, and Waterford;

To the Clyde, Liverpool, and Bristol:

Wheat	per 20 stone	from 3s. 6d.	to	5s.
Oats	— 14 —	— 2s.	—	3s.
Barley	— 16 —	— 2s. 6d.	—	3s. 6d.

To the Ports in the English Channel:

Wheat	per 20 stone	from 4s. 8d	to	6s. 8d.
Oats	— 14 —	— 2s. 8d.	—	4s.
Barley	— 16 —	— 3s. 4d.	—	4s. 9d.

To London:

Wheat	per 20 stone	from 6s.	to	10s.
Oats	— 14 —	— 4s.	—	6s.
Barley	— 16 —	— 5s.	—	7s.

From Dublin and the North-east Ports of Ireland;

To the Clyde, Liverpool, and Bristol:

Wheat	per 20 stone	from 2s. 6d.	to	3s. 6d.
Oats	— 14 —	— 1s. 6d.	—	2s. 6d.
Barley	— 16 —	— 2s.	—	3s.

From Dublin to the Ports in the English Channel and London:

Wheat	per 20 stone	about the same as from Cork.
Oats	— 14 —	
Barley	— 16 —	

I mean the extreme rates to apply when insurances are dearest, (in the winter season), and when freights are cheapest, according as vessels may be plenty or scarce; and the lowest rates to apply under the opposite circumstances.

Are the prices you have mentioned in English money?—Yes.

Since what period has Ireland exported corn so largely as she does at present?—I believe the advancement of Ireland in agriculture may be dated from about the year 1782; since that period her agriculture, and of course her exports, have been progressively increasing.

Did not the Act of 1806 for making the trade in grain between Ireland and Great Britain free, contribute very much to the extension of tillage in Ireland, and to the export of Great Britain?—Very materially to one, and consequently to the other.

Has much grain been exported from Ireland to the peninsula within the last year?—Within the last three years very considerable quantities have been exported to the peninsula.

Could Ireland grow such an additional quantity of grain as would enable her to export much more than she now does?—I think certainly she could.

Have the prices of grain of late years in Ireland been steady or fluctuating?—Of late years they have been fluctuating generally; progressively advancing from the commencement of the season to the end of it.

Have the variations in price been very sudden and very considerable?—They have been very considerable, and sometimes very sudden.

To what cause do you attribute those sudden alterations in prices?—When markets are dependent upon an external demand the fluctuations must generally be sudden, much more so of course than when it is subject to the effect only of an internal demand, and to that I attribute the suddenness of the alteration.

Has the occasional import of foreign grain into Great Britain produced any sudden and great effect upon the prices of the Irish market?—The importations of foreign corn into Great Britain certainly have kept down the price of corn in Ireland of late years; but I do not remember an instance of any importation of the kind

having any sudden effect upon the markets of Ireland, or upon the prices of Irish corn in this market.

If the prices had not been so kept down, would not the tillage of Ireland have been proportionally extended to the greater price that grain would have borne in the Irish markets?—As a general principle, of course the higher price corn bears the greater encouragement is there for tillage; and I conceive I am warranted in saying, that if corn had borne higher prices at certain times within the last eight years since the year 1804, that the tillage would have increased much more than it has in Ireland.

Do you know the regulations of the Act of the 44th George 3, cap. 109, under which foreign grain is allowed to be imported into Great Britain?—I know the scale by which the importation and exportation duties are regulated

What are the prices of wheat, barley and oats at which foreign grain may be imported at the low duty into Great Britain?—When wheat is over 66s. per quarter, foreign wheat may be imported at a duty of only 8*d*.; when oats are over 22*s*. foreign oats may be imported at a duty of only 4*d*. per quarter; and when barley is over 33s a quarter, they may be imported at a duty of only 1*d*.; and no distinction is made between British and foreign shipping.

Could Irish grain be imported into Great Britain with any profit to the grower for such prices?—On, not at present, undoubtedly.

What prices, in your opinion, should the several sorts of grain bear on an average of the twelve maritime districts of England to afford a fair profit to the Irish farmer?—It is very difficult for any one to say; and I am not prepared to say what prices would requite the Irish farmer for his produce paying the present rents, so much depending upon the quantum and the quality of his produce. What might now be considered a protecting maximum for the English or the Irish farmer would in the year 1804 have been considered a starvation price. If the rents of land should continue from any causes to advance during the war, of course any standards made with reference to the present rents would require revision and alteration, and so they would in the event of peace, if, as is generally supposed, the rents of land should fall with the diminution of taxation: but I conceive, that on a general principle, any maxime or minime now fixed should be such as not only to afford protection to the Irish and the English farmer, but an encouragement to him to improve his system of culture, and extend his tillage.

Is the soil and climate of Ireland peculiarly adapted to the growth of wheat?—I do not think the soil generally of Ireland is adapted peculiarly to the growth of wheat; I may be wrong; but I should conceive, take it generally, it is more adapted to the growth of oats.

Is there not very good wheat grown in Ireland?—Certainly there is, and a great deal of land at present in grass that might grow very good wheat.

Has the cultivation of wheat been much extended of late years in Ireland?—Yes, it has certainly, proportionally with the increase of tillage.

Has the quality of the grain been much improved?—Not very much; I think it has more in one part of Ireland than any other, that is in the counties of Limerick, Clare and Tipperary.

Is there not a considerable quantity of land particularly well adapted for the growth of wheat at a great distance from the sea, and from any inland navigation?—Every person acquainted with the locality of Ireland must know that there is.

Do you know what the average import of wheat into England from foreign countries is for twenty years?—If I have added it up right, the average for the last 20 years of wheat imported from foreign parts has been 478,000 quarters.

What is the paper from which you take that calculation?—A paper showing the quantity of corn and grain of all sorts imported into Great Britain from 1792 to 1812, both inclusive.

If the necessity of importing so largely into Great Britain should continue to exist, could Ireland provide a considerable portion of that quantity of wheat if the system of cultivating the tillage-land of Ireland were improved, and if more grass-land were converted into tillage?—If the army in the peninsula and in the West Indies should have no further occasion for any corn from Ireland, and if Great Britain should continue to require an additional supply of 500,000 quarters, I think Ireland might provide it: I form my opinion thus; if you add the quantity of corn exported to the peninsula to the quantity exported to Great Britain in the last year, exceeding the average of former

years, there is reason to suppose, that by an improved system of culture, and some increase of tillage, that additional supply of 500,000 quarters may be procured from Ireland.

Have the ports been opened for the export of grain from Ireland to foreign countries at any period since the passing of the Act of 43 Geo. 3.?—I do not apprehend the average prices have at any time since the year 1804 permitted the unrestrained export of corn to foreign parts; if it did at any time it was in the year 1804. I judge relatively from the average prices in Great Britain contained in this printed document.

Would a free export of grain from Ireland to foreign countries contribute to the extension of the tillage of Ireland?—I should conceive that would be one of its consequences; but such an advantage, accompanied by disadvantages, might be purchased too dearly under certain circumstances.

Can you give the Committee any information as to the manner and regulations under which the foreign export of corn now takes place from Ireland?—The export to foreign countries is admissible at present only on giving bond that it shall be applied to the use of his Majesty's forces under the 46th of the King, cap. 97, the Corn Intercourse Act. When first the army went to the peninsula, the exportation was permitted from some ports without the bonds being taken, in ignorance of the law which permitted the export; but the government finding that the quantity exported had been excessive, when it was wanted at home, caused an enquiry to be made into the practice; since when, by a general order of the Board of Customs, the law has been rigidly attended to in all the ports of Ireland, and bonds regularly given on the exportation of any corn to foreign parts.

Do you conceive that any inconvenience could arise from allowing the export to foreign countries to be free in the same manner as to Great Britain, preserving a discretionary power in the lord lieutenant and council, upon notice of a certain kind, to stop that foreign exportation?—If that discretion were wisely and discreetly used, I should conceive no inconvenience could result from such a regulation; but if it were used so as to produce unexpected fluctuation, it would be disadvantageous, inasmuch as it may defeat the speculations and expectations of the Irish farmer.

Do you think that the export could be freely permitted without such power?—No, I conceive not; certainly not.

Can you state what effect the stoppage of the distillation from corn has had upon the Irish grain markets?—It has had the effect of reducing barley to an unnaturally low price; it is at present in Ireland at a much lower price than oats. By a Cork paper of the 30th March, I see oats quoted 52 to 55*s.* per 33 stone; barley 48 to 52*s.* per 36 stone, and the peninsula being most abundantly supplied with barley; and I am told a prospect of a very good harvest in the southern provinces of Spain; and barley, particularly of inferior qualities, being very cheap in Great Britain, I do not know what will be done with the quantity of barley that now remains on hand in Ireland, until the distillation be opened. Barley is not vendible in Cadiz, from whence corn has been sent to Lisbon; and the commissary will not buy.

Martis, 6° die Aprilis, 1813.

Sir HENRY PARNELL, baronet, in the Chair.

Mr. *Gerard Callaghan,* called in, and examined:

Is there any act of parliament in Ireland requiring returns to be made to any public office of the prices of grain in the principal markets of that kingdom?—I am not aware of any law that obliges the dealers in corn, generally, in Ireland, to make any return to the chief magistrate, but I rather think each principal town has a bye-law that requires it, and that it is imperative upon those chief magistrates to make a return to the register of corn returns in Dublin.

Is any accurate account taken of the prices of grain in the Cork market?—I don't think there is, as accurate as might be.

Do you believe those returns to which you have alluded are made correctly by the chief magistrates?—I don't think they return accurately the current prices of the corn in those markets. I don't think they are returned as accurately as they ought to be.

Do you know the manner in which those returns of prices are calculated?—I can speak more particularly to Cork, than to any part. Returns are made by the millers and flour-factors to the mayor, of the quantities of wheat and flour bought and sold during the week, for the purpose of striking the assise of bread; but I don't

think the persons who are dealers in wheat, and not dealers in flour, make any return to the mayor. But the system in Limerick is extremely correct; there it is in the power of the chief magistrate to make a most accurate return, and in Drogheda likewise. I cannot speak as to Waterford.

Can you speak as to Dublin?—No, I cannot; but I should think they are made accurately.

Do you know of any corn having been imported into Great Britain or Ireland since the late favourable change of affairs on the continent?—I only know of three cargoes of oats, and one cargo of wheat. When those cargoes arrived, it was supposed they were only the forerunners of considerable supplies, and that the markets would fall; but two of those cargoes having been purchased to be exported to Sweden, that effect was not produced at the time, but large quantities of oats having since arrived from the eastern countries, and there being an expectation of the ports of Holland being opened to export, the price of oats in London has fallen near 10*s.* within these three weeks.

When the ports of Holland have been free, have not oats been brought across to London, at less expence, and with more expedition, than from Ireland?—The intercourse with Holland generally is as expeditious as with Ireland, and they are acquainted with the fluctuations of the markets full as well as the Irish are; and I understand they half load vessels, carrying about 800 barrels, until an easterly or a northernly wind comes, when they fill them up, and sometimes make their passage into the Thames in 48 hours.

Is not American flour totally excluded for the present from being imported into Ireland, and has not it been so for some years?—Yes, the 5th section of the 47th of the King, chapter 16, which is a revenue-regulation Bill, applicable to Ireland, re-enacts part of an old Irish law, prohibiting every kind of flour, except British, from Ireland, and makes it liable to forfeiture.

Has that exclusion proved beneficial to the corn merchant, miller, and farmer?—I think it gave confidence and protection to the miller, and of course he was able to give a better and steadier price for the corn.

Which will be least liable to damage on a voyage, wheat or flour?—If the wheat be kiln dried, it will hold much longer than flour made from wheat not kiln dried. If the wheat be kiln dried, and the flour made therefrom be well packed, it will hold for two years.

Will flour made of wheat, kiln dried, keep longer than wheat itself kiln-dried?—If the flour be well packed in a solid body, I think it will.

What measures do you conceive generally are best calculated to encourage the growth of corn in Ireland?—Whatever measures will give the best price and certainty of sale to the farmer are best calculated to that end. Those measures, in a general way, I conceive, are the admitting of foreign export as much as can with safety be done, excluding foreign corn as much as it may be prudent to do, and increasing the consumption at home in the breweries and distilleries as much as with prudence and propriety can be done.

Has not frequent interference with the distilleries in Ireland contributed very much to lower the price of grain, and discourage tillage there?—It tended to cause great fluctuations in the price of corn, and by that effect to discourage the farmer to a certain degree; but I don't recollect the parliament ever interfering in stopping the distilleries in Ireland, but when imperiously called upon.

Is not the present depressed state of the market for barley in Ireland, owing to the existing prohibition of distilling from grain?—Certainly it is.

Is the price of barley a sufficient price to afford profit to those who have grown it in Ireland?—I don't think it is at present; certainly the price is very disproportionate to the prices of wheat and oats.

Is there a very large stock of barley on hand at present in Ireland?—I should think there is.

In what manner is it probable that can be disposed of?—Indeed I don't know any vent there will be for barley for the remainder of the year, but in the breweries, and they will only take the best quality for malting.

Was the crop of last year in general a crop of good quality, or of inferior quality in Ireland?—It was not so good as in the previous year.

Is a great deal of the stock on hand of an inferior description, not fit for malting for the breweries?—I should think it is.

Can that inferior kind of barley be used in the distilleries?—Yes.

Is there reason to expect a great deal of foreign corn to be imported into Great Britain in the course of this year?—I

have been informed there is a great quantity of wheat in Holstein that must be exported—I have reason to know that vessels have been sent out to Russia to bring back wheat—should Dantzic fall, as there is every reason to expect it will, a considerable quantity of wheat will come from thence, but not near so much as may be generally supposed from the lateness of the period at which it may fall, and Thorn being still in possession of the French; for the greater supply of corn shipped from Dantzic is brought down the Vistula from beyond Thorn.—There is a superabundance of wheat in the ports of the Black Sea, which has lately come to Lisbon and Cadiz, and which certainly might be brought into this country to great advantage.—I have heard likewise of vessels having been sent to Chili in South America to bring quantities of wheat to Lisbon, which will stand, after paying an insurance of 30 per cent. not more than 50*s*. the barrel of 20 stone; and I have heard of fifty thousand quarters of wheat having been bought in Egypt, either for account of government, or by persons generally employed by them.—I have also understood that the warehouses in the ports of the Black Sea are overloaded with wheat; and that the supplies would have appeared in the peninsula earlier than they did, but for the plague that raged in that part of the world; but now the summer season is coming on, which is best calculated for the Greek ships, I have no doubt very considerable quantities will be brought from thence to the peninsula, and perhaps to Great Britain.

Do you think the markets in the peninsula are abundantly supplied, and that there will be any surplus drawn from thence for the use of this country?—The markets are abundantly supplied, and the flour is as cheap as it is here; but I don't think any supplies would be re-exported from thence to this country. The law there prevents it.

Will there be a surplus after supplying the peninsula to come to this country?—There will be more corn to be shipped from the Black Sea than the peninsula will want, of course the excess may be brought to this country.

Do you know any thing of the state of the corn markets in France?—I understand they are higher than they have been accustomed to be, they having found it necessary to enter upon the consumption of the new crop so much sooner than in former years, as was the case in this country.

Do you know what the prices of grain are in France?—No, I do not, but I could procure information for the Committee.

Mr. *George Grierson* called.

Have you held any quantity of land in your own hands in Ireland?—About 700 acres.

I believe you are a member of the Farming Society in Ireland?—Yes, I am.

Have you constantly attended their meetings?—I have, at Dublin and Ballinasloe.

You are a member of the committee for managing the affairs of the society?—Yes.

And have been from the commencement of the society?—Yes.

In your opinion, what prices should the different sorts of grain bring in the Dublin market to yield a fair profit to the farmer?—I don't think wheat could be sold by the farmer at a fair profit under 50*s*. a barrel; and oats I should suppose 20*s*. a fair market price at 14 stone to the barrel.

Barley?—Barley 40*s*. a barrel.

Do you speak of the best species of each grain?—Yes.

Can you say what is the quality of different sorts of grain of Irish growth as compared with that of English growth?—I have seen samples, sent to the society for premiums, nearly equal in weight to the best samples of the English imported; the samples of oats of Irish growth were better last year than the English samples.

Has the quality of Irish grain been of late years much improved?—I believe the last five or six years very considerably in Ireland. I have known wheat of a better sample than formerly, and to weigh from 60 to 63lb. per bushel.

Has there been much wheat imported for the purposes of seed into Ireland?—Not so much as five or six years ago certainly.

Has there been any extensive improvement generally in the tillage of wheat in Ireland?—Very much so; the implements made use of are better; the ploughs are better; and they till the land better a good deal than formerly.

Is the acreable produce much increased?—I think it is.

Is the land now under tillage for the growth of wheat capable of being rendered much more productive by increased attention on the part of the farmer?—

By the improved system of agriculture I suppose it is capable of great improvement. I look upon it the ground that produces six barrels of wheat now per acre might be made to produce nearly nine barrels an acre, and so in proportion with regard to other crops.

Are not some of the lands in Ireland best calculated for growing wheat at a considerable distance from the sea and inland navigations?—Yes; the county of Tipperary is a very good county for wheat, and great parts of the counties of Kilkenny, Limerick and Cork, are not near.

Does not Ireland abound with natural manures particularly adapted to the improvement and extension of tillage?—It does; there are few counties that have not limestone-quarry, limestone gravel, or marle.

What is the common course of managing lands in tillage as to manuring, draining, cropping, ploughing, &c.?—In general very inferior; they don't drain; and their lands are all dirty; the implements they make use of are badly calculated to till the ground well; there is room for a great improvement.

Is not the establishment for making farming instruments connected with the Farming Society?—It is under their patronage.

How long has that establishment existed?—Since 1803, I think it is eight or nine years.

Have the annual sales of improved implements been very considerable?—Very considerable, and increasing every year.

Have you any memorandum as to the value?—No; I have not any memorandum.

What kind of implements are most upon sale?—The Scotch plough and harrow, the turnip drill, and a better kind of cart, called a Scotch cart.

Have other establishments of the same kind arisen in consequence of this in different parts of the country?—Yes; many boys have been instructed as carpenters, and gone out and settled in other parts of the country.

Are green crops common in Ireland?—They are not common, but they are increasing: the farmers who pursue improved agriculture are all getting into green crops. I suppose there are fifty turnip drills sold for one more than there were five years ago.

Is the use of clover general in Ireland?—It is increasing very much.

Is it generally made use of?—No; not generally, but it is certainly increasing very much.

What is the customary course of crops throughout Ireland?—I have known five crops of corn taken successively till the ground could bear no more; and wheat generally fallow, and seldom lay the ground down with seed of any kind; in general the system of tillage is very bad.

Do you conceive that the introduction of certain covenants with regard to the cropping of lands in leases would be productive of improved management and cultivation of land?—A correct system of husbandry would tend to enrich the farmer, and enable him to pay his rent better.

Do you think such a system would be promoted by covenants of this kind?—I think so, certainly.

Are there not very considerable tracts of coarse wet land, hills, and mountains in Ireland, which might be rendered fit for tillage at such a rate of expence as would make them more profitable to the occupiers of them than they are at present?—A great deal of such land properly drained would be very valuable in tillage, which is now lying waste.

Is there a very considerable quantity of land of that description?—A very considerable quantity.

In every part of the kingdom?—In every part I am acquainted with.

Is irrigation made use of to any extent?—Not to any extent; but it is found very serviceable to those who follow it.

Is it calculated, in your opinion, to produce very great improvement?—It improves meadow ground very much; the reason I conceive, is, that the water is impregnated with calcarious matter, which becomes manure.

Have the prices of grain of late years in Ireland been steady or fluctuating?—More steady than usual since 1806, and since the act of parliament passed for making the corn trade free between Great Britain and Ireland.

Some fluctuations have occasionally taken place?—Yes.

Have they been sudden, or to any great degree of variation?—They have.

What, in your opinion, can they be fairly attributed to?—Owing to the corn grower not knowing whether he shall have a market or not.

What do you think they can be fairly attributed to?—To the import of a quantity of grain, at the time the grower don't expect it, into Great Britain.

You mean foreign grain?—Yes.

Would it not contribute to establish a steady price for grain in Ireland, and thereby to encourage the extension of tillage, if there were such regulations for the import of foreign grain into Great Britain as would give a preference to Irish grain in the British markets over the grain of foreign countries?—Undoubtedly it would.

Do you not think that such regulations are now wanting to protect the Irish farmer from the injurious effects that may arise from the present state of the continent in respect to the opening of those ports from which grain has usually been exported to Great Britain?—I do certainly.

Are you aware that Great Britain has imported foreign grain amounting in value, on an average for the last 15 years, to three millions yearly?—Yes, by reference to a paper printed by order of the House of Commons I find it is so.

If Great Britain should continue to stand in need of so large a supply in addition to her own growth of grain, could Ireland materially contribute to provide it?—Materially, certainly, to what extent I cannot say; I think the produce of the land now in tillage would be increased one half by the improved system of husbandry; and a great deal of land might be brought into tillage that is not now.

A great deal of land now not under tillage might be brought in?—A great deal.

And the land in tillage might be improved?—Yes.

Do you conceive that the establishment of a free trade in grain in 1806 between Ireland and Great Britain has produced a very considerable extension of tillage in Ireland?—Very considerable; it gave great encouragement.

Has the condition of small farmers, and the lower orders of people, progressively improved with the advance of the prices of grain and the extension of tillage?—I think so decidedly.

Is not their condition very much bettered than it was some years ago with respect to their habitations, clothing and diet?—Very much; they are more orderly in their appearance, and about their places, and conduct in every respect.

Has not their behaviour become progressively more orderly, and more amenable to the laws in proportion as their condition has improved?—Certainly, in a very high degree, as far as my observations have gone.

An Account

An ACCOUNT *of the Quantity of* CORN *and* GRAIN *of all Sorts, Meal, Flour, and Rice,* IMPORTED *into Great Britain, from* 1792 *to* 1812, *both inclusive; distinguishing* IRELAND *from* FOREIGN PARTS.

IMPORTED FROM IRELAND.

YEARS.	Total Quantity Imported.			Total Value at the Average Market Price.
	Corn and Grain.	Meal and Flour.	Rice.	
	Qrs.	*Cwt.*	*Cwt.*	*£.*
In the Year 1792......	492,994	116,039	- -	598,370
1793......	291,066	38,330	- -	391,460
1794......	389,663	28,767	- -	495,004
1795......	351,312	34,100	- -	526,803
1796......	281,295	95,892	- -	470,628
1797......	338,597	85,561	- -	464,234
1798......	380,864	84,515	- -	549,848
1799......	341,344	56,033	- -	600,920
1800......	849	4,946	- -	13,785
1801......	366	1,848	- -	3,804
1802......	373,496	184,072	- -	839,507
1803......	295,065	101,333	- -	525,860
1804......	271,513	79,480	- -	564,321
1805......	284,370	45,853	- -	721,304
1806......	425,563	86,476	- -	925,183
1807......	371,043	39,293	- -	687,996
1808......	506,342	71,130	- -	1,091,709
1809......	857,947	75,200	- -	1,732,155
1810......	511,942	72,742	- -	1,205,511
1811......	306,397	59,524	- -	836,926
1812......	440,473	123,019	- -	1,641,583

IMPORTED FROM FOREIGN PARTS.

1792......	642,598	7,757	234,025	856,095
1793......	1,088,781	211,588	193,680	2,021,993
1794......	1,066,248	13,013	86,576	1,768,811
1795......	403,939	124,329	145,500	1,461,622
1796......	1,570,377	238,132	407,048	4,487,116
1797......	789,824	2,785	118,241	1,455,722
1798......	894,019	1,734	203,417	1,569,757
1799......	653,934	64,234	93,570	1,765,840
1800......	2,037,765	343,870	315,649	8,755,995
1801......	2,087,614	1,123,714	310,609	10,149,098
1802......	751,004	252,736	432,300	2,155,794
1803......	507,484	309,569	113,999	1,164,592
1804......	925,755	17,072	60,402	1,855,333
1805......	1,165,272	54,566	78,925	3,754,831
1806......	324,256	248,927	147,722	1,106,540
1807......	667,899	504,213	97,733	1,878,521
1808......	106,751	19,939	46,659	336,460
1809......	631,236	498,747	350,218	2,705,490
1810......	1,553,229	475,978	272,370	7,077,865
1811......	265,613	32,581	124,802	1,092,804
1812......	243,833	53,038	78,862	1,213,850

An ACCOUNT *of the Average Prices of* BRITISH CORN *per Quarter, and of* OATMEAL *per Boll of* 140*lbs. Avoirdupois, in* ENGLAND *and* WALES; *from* 1792 *to* 1812, *both inclusive.*

	Wheat.		Rye.		Barley.		Oats.		Beans.		Pease.		Oatmeal.	
	s.	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d.*	*s.*	*d*	*s.*	*d.*
In the Year 1792......	42	11	30	8	26	9	17	10	31	7	32	8	33	0
1793......	48	11	3[illegible]	11	31	9	21	3	37	8	38	4	38	11
1794......	51	8	37	9	32	10	22	0	42	6	46	8	38	1
1795......	74	2	43	5	37	8	24	9	46	8	53	4	43	6
1796......	77	1	47	0	35	7	21	9	38	10	43	6	42	9
1797......	53	1	31	11	27	9	16	9	27	6	33	5	33	10
1798......	50	3	30	11	29	1	19	10	30	1	33	11	36	8
1799......	67	6	43	9	36	0	27	7	44	7	45	2	45	0
1800......	113	7	76	11	60	0	39	10	69	3	67	5	72	1
1801......	118	3	79	9	67	9	36	6	62	8	67	8	70	0
1802......	67	5	43	3	33	1	20	7	36	4	39	6	39	3
1803......	56	6	36	11	24	10	21	3	34	8	38	6	38	7
1804......	60	1	37	1	30	4	23	9	38	7	40	10	40	8
1805......	87	10	54	4	44	8	28	0	47	5	48	4	43	8
1806......	79	0	47	4	38	6	25	8	43	9	43	6	44	2
1807......	73	3	47	6	38	4	28	1	47	3	55	11	44	3
1808......	79	0	52	4	42	1	33	8	60	8	66	7	48	9
1809......	95	7	60	9	47	3	32	8	60	9	60	2	51	4
1810......	106	2	59	0	47	11	29	4	53	7	55	9	51	11
1811......	94	6	49	11	41	10	27	11	47	10	51	6	48	6
1812......	125	5	75	11	66	6	44	0	72	8	73	7	49	8

An ACCOUNT *of the Quantity of* CORN *and* GRAIN *of all Sorts, Meal, Flour, and Rice,* EXPORTED *from Great Britain, from* 1792 *to* 1812 *inclusive.*

YEARS.	Total Quantity Imported.			Total Value at the Average Market Prices.
	Corn and Grain.	Meal and Flour.	Rice.	
	Qrs.	*Cwts.*	*Cwts.*	*£.*
1792......	357,489	174,729	174,959	1,063,753
1793......	79,430	115,740	96,172	361,053
1794......	153,265	139,909	79,336	579,487
1795......	17,643	66,444	25,809	149,393
1796......	38,018	87,101	76,692	266,171
1797......	72,916	121,720	69,730	310,909
1798......	81,581	137,528	73,532	344,340
1799......	88,338	85,395	44,626	365,607
1800......	32,184	54,914	6,422	234,578
1801......	28,617	94,814	20,947	297,094
1802......	144,745	160,813	210,899	807,060
1803......	114,006	105,233	57,163	393,560
1804......	188,019	120,179	50,292	536,092
1805......	94,884	86,714	41,734	505,102
1806......	71,541	99,911	49,371	337,222
1807......	49,553	89,677	30,810	259,892
1808......	54,376	252,739	15,359	484,231
1809......	37,987	100,061	28,738	289,609
1810......	114,271	62,718	139,054	716,923
1811......	218,537	94,313	83,698	839,469
1812......	137,530	83,195	32,141	760,130

The Board of Agriculture having taken into consideration certain Queries relative to the state of tillage in Great Britain, with which they have been honoured by sir Henry Parnell, bart. at the request of the Select Committee of the House of Commons, for enquiring into the Corn Trade of the United Kingdom, they beg leave to submit to the said Committee the following Answers:

1. Has there been during the last 10 years any great increase of tillage in Great Britain?

It appears from Custom-house documents, that the average import of all sorts of corn and grain from 1793 to 1802, being 10 years, was 1,415,229 quarters per annum; and that of meal and flour during the same period, was 299,019 cwts. also that the import of grain and corn, during the 10 years from 1803 to 1812, was 1,066,198 quarters per annum, and of flour and meal 296,860 cwts. per annum. And as it also appears, by the registers of the Population Acts, that the increase of the people in the latter period, compared with the former, amounted to much more than one million of souls, there is great reason to imagine that the tillage of Great Britain has increased.

2. Is the land now in tillage capable of being made more productive by an improved system of cultivation?

The Board has not the smallest difficulty in asserting, that the land now in tillage is capable of being made much more productive by an improved system of cultivation.

3. Is there much land now in grass fit to be converted into tillage, without any great preparatory expence?

There are in Great Britain considerable tracts of grass-lands fit to be converted into tillage, without any great preparatory expence; and in many cases at no other expence than that of setting the plough to work.

4. Is there much wet and improductive land capable of being brought into tillage?

There are immense tracts of unproductive land, both wet and dry, that are capable of being brought into tillage, provided the local impediments of common rights, &c. were removed, and in particular, if facility were given to the enclosure of small commons.

5. Which branch of tillage, wheat, barley or oats, has experienced the greatest increase during the last ten years, and which is capable of being the most extended?

The board does not conceive that there has been any material extension in the cultivation of barley, but on the contrary a decline, proportioned to the former demand from the distilleries; but that the increased culture of wheat has been considerable; and that of oats still greater.

QUERIES put to the Farming Society of Ireland by the Committee on the Corn Trade, transmitted by sir Henry Parnell, bart. then Chairman; with their respective Answers.

First.—Has there been, during the last ten years, any great increase of tillage in Ireland?—*A.* A very considerable increase. There is at present no precise document by which it can be ascertained, but it is estimated by many skilful persons at nearly one fourth.

Second.—Is the land now in tillage capable of being made more productive by an improved system of cultivation?—Obviously much more productive, as has been uniformly experienced in many parts of Ireland, where no improved system has been introduced; the same land upon which formerly seven barrels of wheat, of 20 stone to the barrel, was considered a good return for a plantation acre (and even that at the loss of two seasons rent and labour, under the system of open fallow,) is now, by better management, and without the sacrifice of a crop, made to yield at least ten barrels to the acre, and often a greater quantity.

Third.—Is there much land now in

grass fit to be converted into tillage, without any great preparatory expence?—There are very considerable tracts; almost all the meadows and pastures of this country, which are dry and free from rock, are capable of producing a crop of lea oats, with one ploughing by a well-constructed plough, and of being made productive afterwards by rotation crops in the usual way; in many parts of Ireland the grass-land is of such quality as to be convertible into tillage by a potato-crop, without either ploughing or manure; it is a question, however, whether it might not be imprudent to convert into tillage the rich pastures of Ireland, at present employed so beneficially for the empire, until other descriptions of land capable of producing corn, and supplying the means of an immense increase, shall have been first brought into action. The present system of pasturage (exclusive of the public benefit arising from it in the material articles of beef and butter) yields a fair profit to the farmer; corn might certainly do more; and by the skilful introduction of green crops, perhaps as great a number of cattle might still be supported, and the manure produced thereby would keep the tillage-land in heart for the further production of corn; but this seems calculated for a more advanced state of agricultural improvement, to which, however, this country is rapidly advancing.

Fourth.—Is there much wet and unproductive land capable of being brought into tillage?—A great quantity; by means of judicious draining, a branch of improvement more necessary, and less practised in Ireland than any other; even upon arable ground the return of corn has been doubled by this operation; and in many instances, land wholly given up to rushes has, by proper draining, been made to carry excellent crops.

The clearing away of stones, scrub-wood, briars and furze, and the levelling old and useless fences, would add considerably to the productive land of this country. Much mountain land is also capable of being brought under corn-crops.

Fifth.—Which branch of tillage, wheat, barley, or oats, has experienced the greatest increase during the last ten years, and which is capable of being the most extended?—It is generally thought that the increase of oats has been the greatest, chiefly, from the steady encouragement of the English market; that of wheat has been nearly as considerable; barley has not held the same proportion, in consequence of the substitution of oats in the distilleries, and also of the latter being a grain so much the more easily raised. It appears also from the quantity of ground still unbroken in Ireland, and the feasibility of having a crop from the lea by one ploughing upon a soil moderately good, that the cultivation of oats is capable of being the most extended.

N.B. There is a great variety of opinion amongst judicious persons who have been consulted, as to which grain has experienced the greatest increase, wheat or oats, and the preponderancy seems to be in favour of the former, from some communications which have been made since the above was written, but it seems a point very difficult to be ascertained.

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